

ROCHESTER CITY COUNCIL

REGULAR MEETING

May 10, 2022

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 Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith – 9.

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

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

**Retirement:**

**DES:**

Jesus Carrero  
Stephen Dengler  
Gail Loria  
Charles Polley  
Jeffery Simmons  
Quintin Windom

**DHRM:**

Christine Martinelli

**FIN:**

David Haygood

**NBD:**

Louis Englert  
Kathleen Foust  
Carlos Torres

**RFD:**

Patrick Agostinelli  
Rolando Delgado  
Brian Miller  
Terry Stott

**RPD:**

Brian Costello  
Bryan Munson  
Antonio Rodwell  
John Skakuj

**THE COUNCIL PRESIDENT --- RECOGNITION CEREMONIES**

Presentation of a Proclamation in recognition of Emergency Medical Services Week  
By Councilmember Harris

**APPROVAL OF THE MINUTES**

By Councilmember Martin

RESOLVED, that the minutes of the Regular Meeting on April 12, 2022 and the Special Meeting on May 5, 2022 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 **President Meléndez** on Int. No. 180

**THE COUNCIL PRESIDENT** --- RECEIVED AND FILED.

PUBLIC HEARINGS.

**Pursuant to law, a public hearing was held on May 5, 2022 on the following matters:**

Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas for 2022-23 Int. No. 152

No speakers

Amending the 2021-22 Annual Action Plan to fund and authorize additional HOME Investment Partnership projects through the American Rescue Plan Act of 2021 Int. No. 163

7 speakers

Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District for 2022-23 Int. No. 171

No speakers

Local Improvement Ordinance – establishing the operating and maintenance costs of special assessments for streetscape enhancements for 2022-23 Int. No. 172

No speakers

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

By President Meléndez

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2022-24  
Re: Home Rule Message endorsing State  
legislation to correct the retirement  
pension status of a City employee (Bill  
numbers S. 4686-A and A. 6164-A)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is Home Rule Message requesting that the State Legislature enact legislation that will grant to a City employee an earlier initial membership in the New York state and local employees' retirement system (NYSLERS) to account for his prior employment record.

The Home Rule Request is a necessary prerequisite to allow the New York State Legislature to enact the State legislation entitled "AN ACT granting retroactive membership in the NYSLERS to Justin Whitmore," which is set forth in Senate Bill No. S. 4686-A and Assembly Bill No. A. 6164-A. The City of Rochester does not have the power to enact such legislation on its own and, therefore it must seek the Legislature's approval through the Home Rule process pursuant to Article IX of the New York State Constitution.

Justin Whitmore is currently employed by the City of Rochester with the Rochester Police Department. He worked as a seasonal employee for Sampson State Park beginning in July of 2007 and, through no fault of his own, was not enrolled into NYSLERS at the time. This error has impacted his Tier designation within the retirement system. The proposed State legislation will correct this error and establish Mr. Whitmore's initial NYSLERS membership date as July 7, 2007, thereby qualifying him for the Tier 2 classification in the system.

The NYSLER staff projects that the legislation will generate an immediate one-time past service charge of approximately \$34,200, which will be borne by the State of New York. The City of Rochester also will incur an increase in the annual contribution to Mr. Whitmore's retirement account, but those additional charges will not exceed what the City would have been required to pay had Mr. Whitmore been enrolled when he was qualified to do so in 2007.

Respectfully submitted,  
Miguel A. Melendez, Jr.  
President

Resolution No. 2022-24  
(Int. No. 185)

**Resolution for the purpose of a Home Rule Message regarding State legislation in relation to granting retroactive membership in the New York state and local employees' retirement system to Justin Whitmore**

Requesting the Senate and the Assembly of the State of New York pursuant to Article IX of the New York State Constitution to enact into law certain legislation in relation to granting retroactive membership in the New York state and local employees' retirement system to Justin Whitmore.

WHEREAS, the legislation above would be beneficial to the people of Rochester and the City of Rochester does not have the power to enact such legislation by local law.

BE IT RESOLVED, by the City Council of the City of Rochester that said Council hereby requests that the Senate and the Assembly of the State of New York, constituting the New York State Legislature, enact the legislation set forth in the following bill entitled:

AN ACT granting retroactive membership in the New York state and local employees' retirement system to Justin Whitmore

Being Senate Bill No. S. 4686-A and Assembly Bill No. A. 6164-A.

This resolution shall take effect immediately

Adopted unanimously.

REPORTS OF STANDING COMMITTEES  
AND ACTION THEREON

By Councilmember Gruber  
May 10, 2022

To the Council:

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

- Int. No. 146 Authorizing a professional services agreement relating to the 2022 ROC Pride Festival
- Int. No. 147 Authorizing an agreement for the 2022 Roc Jam Live music series
- Int. No. 148 Authorizing an agreement for firework displays
- Int. No. 149 Authorizing an agreement for the Gus Macker 3-on-3 tournament
- Int. No. 150 Authorizing an agreement with the Rochester Philharmonic Orchestra for public music performances
- Int. No. 151 Authorizing an agreement for the 2022 Puerto Rican Festival
- Int. No. 153 Authorizing an intermunicipal agreement, amending the 2021-22 Budget and amending an agreement to enhance the community's Racial and Structural Equity (RASE) initiatives
- Int. No. 154 Authorizing an agreement for budget software

- Int. No. 155 Resolution approving appointments to the Rochester Civil Service Commission
- Int. No. 156 Bond Ordinance of the City of Rochester, New York, authorizing the issuance of not to exceed \$30,000,000 General Obligation Refunding Serial Bonds, 2022 of said City to currently refund the outstanding portions of the City's \$14,655,000 Refunding Bonds – 2012, Series IV; \$19,390,000 Refunding Bonds – 2012, Series V; \$29,150,000 General Obligation Serial Bonds – 2013, Series I; and \$67,470,000 General Obligation Serial Bonds – 2013, Series II
- Int. No. 157 Approving the apportionment of taxes and charges
- Int. No. 158 Authorizing an agreement for real estate title services
- Int. No. 159 Authorizing an agreement for conflict counsel services
- Int. No. 178 Authorizing an agreement related to refueling of City vehicles
- Int. No. 179 Authorizing an intermunicipal agreement with the County of Monroe to provide chilled water service for the Blue Cross Arena at the War Memorial
- Int. No. 181 Determining and certifying base proportions, current percentages, and base percentages for the 2022 Assessment Roll
- Int. No. 182 Determining and certifying adjusted base proportions, assessed value, and net changes in assessed value for the 2022 Assessment Roll

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

- Int. No. 152 Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas for 2022-23

Respectfully submitted,  
 Mitch Gruber  
 Michael A. Patterson  
 Kimberly Smith (*Absent*)  
 Mary Lupien  
 Miguel Meléndez  
 FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL  
 Ladies and Gentlemen:

Re Ordinance No. 2022-112  
 Agreement – ROC Pride Festival,  
 Bella Events Group LLC

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$15,000 as maximum compensation for an agreement with the Bella Events Group LLC (principal: Jenna ManettaKnauff), 67 White Rabbit Trail, Rochester, New York, for production of the 2022 ROC Pride Festival. The term of the agreement is one year, and cost of the agreement will be funded from the 2022-23 Budget of Communications, pending its approval.

Bella Weddings and Events has been contracted to produce the 2022 Roc Pride Fest by the Roc Pride Collective, a consortium of Rochester-area organizations including Trilium Health, the Men of Color Health Awareness (MOCHA) Center, Rainbow Seniors ROC, Rochester Black Pride, ImageOut, Rochester Gay Men's Chorus, and Rochester LGBTQ+ Together.

The festival will take place Saturday, July 9 at Cobb's Hill Park. Festival offerings will include a main stage with musicians and performers, local food and drink, lawn games, retail vendors, and community exhibitors. General admission will be \$5.

This will be the fifth year that the festival is located at Cobb's Hill Park. Prior to that, it took place at Genesee Valley Park. The location change led to a tremendous uptick in attendance as it proved to be an ideal location due its close proximity to the Pride Parade that takes place along Park Avenue earlier in the day. In previous years, the festival has attracted more than 20,000 people to the park.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2022-112  
(Int. No. 146)

**Authorizing a professional services agreement relating to the 2022 ROC Pride Festival**

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 Bella Events Group LLC in the maximum amount of \$15,000 for production of the 2022 ROC Pride Festival. The term of the agreement shall extend for one year. The cost of the agreement shall be funded from the 2022-23 Budget of the Bureau of Communications, contingent upon its approval.

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. 2022-113  
Re Agreement – Roc Jam Live– Roc Park  
Jam LLC

Council Priority: Creating and Sustaining a Culture  
Of Vibrancy

Transmitted herewith for your approval is legislation establishing \$15,000 as maximum compensation for an agreement with Roc Park Jam LLC (principal: Reginald Walton), Rochester NY, 14445, for the production of the 2022 Roc Jam Live music series in Downtown Rochester. The cost of the agreement will be funded from the 2022-23 Budget of Communications, pending its approval. The term of the agreement will be for one year.

Roc Jam Live seeks to capture the tradition of old school hip hop through DJ-led jams on 3 Sunday afternoons in the summer at Dr. Martin Luther King, Jr. Park. This low-cost event will feature art installations, food, and other family-friendly activities. In its inaugural year in 2021, the event held 5 jams and attracted more than 10,000 people to Downtown Rochester. This year's support level reflects the event's desire to shorten the series.

In addition to this sponsorship, the City will also provide in-kind equipment at the park like garbage disposal and barricades, and access to electricity and port-a-johns.

In 2021, City Council approved an agreement for \$20,000 via ordinance 2021-164. There were 5 events in the series last year.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2022-113  
(Int. No. 147)

**Authorizing an agreement for the 2022 Roc Jam Live music series**

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 Roc Park Jam LLC for the production of the 2022 Roc Jam Live music series. The maximum compensation shall be \$15,000, which shall be funded from the 2022-23 Budget of the Bureau of Communications, contingent upon its approval. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-114  
Re Agreement - Young Explosives Corp.,  
Fireworks Displays

Council Priority: Creating and Sustaining a Culture  
Of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with Young Explosives Corp. (Jim Young, Principal), Brighton, New York, to provide fireworks displays. The term of the agreement is one year, and the cost will be funded from the 2022-23 Budget of the Bureau of Communications, contingent upon adoption of said budget.

The agreement will allow Young Explosives, Corp. to provide the City's July 4 fireworks display and also provide a contingency for a smaller-scale show if new programming requires.

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

An agreement with the company for the same amount was authorized by Ordinance 2021-129 in May 2021.

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

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AV-69

Ordinance No. 2022-114  
(Int. No. 148)

**Authorizing an agreement for firework displays**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Young Explosives Corp. to provide fireworks displays. The maximum compensation shall be \$30,000, which shall be funded from the 2022-23 Budget of the Bureau of Communications, contingent upon approval. The term of the agreement shall be one year.



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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Patterson, Peo, Smith – 8.

Nays – Councilmember Martin – 1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-115  
Re Agreement – Gus Macker 3-on-3/  
Rochester Youth Sports Foundation

Council Priority: Creating and Sustaining a  
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with Rochester Youth Sports Foundation (president: Anthony Jordan) to produce the Gus Macker 3-on-3 basketball tournament in Downtown Rochester. The cost of this agreement will be financed from the 2021-22 (\$35,000) Budget of the Bureau of Communications, and the 2022-2023 (\$15,000) Budget of the Bureau of Communications, pending its approval. The term will be for one year.

The Gus Macker 3-on-3 basketball tournament is a national tournament that began in 1987. The Tournament is designed so anyone can play: men, women, adults, and youth, experienced, or not experienced. Since 1987, more than 2.2 million players, and more than 23 million spectators have enjoyed watching this driveway-style, outdoor basketball tournament. Last year, the tournament drew more than 170 teams and 7,000 spectators. The event features more than just basketball- it produces family fun in a festival atmosphere with a youth entertainment stage and food vendors.

This is the fifth year the Gus Macker tournament will be held in Rochester. It will take place Downtown on July 16 & 17 near the corner of Court and Exchange streets.

The City's investment helps to cover, among other items, equipment costs, security, police services, and other site infrastructure items. The City will be recognized as a presenting sponsor on all marketing materials and the investment will also allow for 15 city-based teams to enter the tournament free of charge.

City Council approved \$50,000 in funding for the event in 2020, 2019, 2018, and 2017. Though approved by Council, the 2020 funds were never actually disbursed as the event was canceled due to COVID-19. Organizers did not hold the event in 2021 and therefore did not ask for support.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2022-115  
(Int. No. 149)

**Authorizing an agreement for the Gus Macker 3-on-3 tournament**

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$50,000 with the Rochester Youth Sports Foundation to support the 2022 Gus Macker 3-on-3 basketball tournament in downtown Rochester. Said amount shall be funded in the amount of \$35,000 from the 2021-22 Budget of the Bureau of Communications and in the amount of \$15,000 from the 2022-23 Budget of the Bureau of Communications contingent upon approval of the latter budget. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-116  
Re: Agreement – Rochester Philharmonic  
Orchestra, Inc., Music Performances

Council Priority: Creating and Sustaining a  
Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with the Rochester Philharmonic Orchestra, Inc. (RPO), Rochester, New York, for music performances. The term of the agreement is one year, and cost of the agreement will be funded from the 2022-23 Budget of Communications, pending its approval.

The RPO will present a full orchestra concert at Parcel 5 in Summer 2022. It will be free and open to the public. Additional details will be forthcoming. In addition, the RPO will present four ensemble concerts, one in each quadrant of the city. They will also be free and open to the public. In August 2021, the City provided the RPO \$50,000 in funding via ordinance 2021-253 for its fiscal year 2021-2022 programming.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2022-116  
(Int. No. 150)

**Authorizing an agreement with the Rochester Philharmonic Orchestra for public music performances**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Philharmonic Orchestra Inc. to provide public music performances. The maximum compensation for the agreement shall be \$50,000, which shall be funded from the 2022-23 Budget of the Bureau of Communications contingent upon approval. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-117  
Re: Agreement - Puerto Rican Festival, Inc.

Council Priority: Creating and Sustaining a Culture  
of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$80,000 as maximum compensation for an agreement with the Puerto Rican Festival, Inc., (President: Orlando Ortiz) Rochester, for sponsorship of the 2022 Puerto Rican Festival. The cost of the agreement will be funded from the 2021-22 (\$20,000) and the 2022-2023 (\$60,000) Budgets of the Bureau of Communications, contingent on the approval of the latter. The term will be for one year.

The Puerto Rican Festival, Inc. was established in 1969 for the express purpose of celebrating and recognizing the culture of Puerto Ricans. The Puerto Rican Festival is the longest-running cultural festival in Monroe County. Puerto Ricans continue to be one of the largest growing Hispanic populations in New York State.

The 2022 Puerto Rican Festival will return in August to the Frontier Field VIP Parking Lot. Organizers are excited to finally implement format changes that were already supported by the City and various stakeholders in early 2020, and authorized with \$80,000 in funding via City Council ordinance 2020-56. Unfortunately, the pandemic prevented the event from taking place that year. In 2021, pandemic restrictions prompted organizers to create a smaller, decentralized festival at

multiple sites to keep crowd sizes manageable. Accordingly, City Council authorized \$60,000 in funding for the event to better reflect the smaller format.

The 52<sup>nd</sup> edition of the festival will be Thursday, Friday, and Saturday August 4-6. The City's support will allow for free admission on Thursday, as well as two additional free hours of admission on Saturday, providing access for early festival goers and especially families. Removing the cost to enter on Thursday and providing more time to enter for free on Saturday will encourage those who may have been deterred by the price of admission to visit the festival. All 3 days will feature music, food, children's activities, and cultural programming.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2022-117  
(Int. No. 151)

### **Authorizing an agreement for the 2022 Puerto Rican Festival**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Puerto Rican Festival, Inc. for sponsorship of the 2022 Puerto Rican Festival. The maximum compensation for the agreement shall be \$80,000, which shall be funded in the amount of \$20,000 from the 2021-22 Budget of the Bureau of Communications and in the amount of \$60,000 from the 2022-23 Budget of the Bureau of Communications contingent upon approval of said budget. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Local Improvement Ordinance No. 1790  
Re: LIO Continuing Assessments and  
Agreements for Special District Parking  
Lots

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is a local improvement ordinance (LIO) authorizing special district tax assessments for each of six neighborhood commercial and residential parking lots during 2022-23 and authorizing the City to enter into one-year agreements with various contractors to operate and maintain each of the lots. The LIO authorizes total aggregate special district tax

assessments for fiscal year 2022-23 in the amount of \$71,862.00, as broken down by individual districts in the chart below. The legislation also authorizes a total aggregate 2022-23 budget of \$71,862.00 for the operation and maintenance of the parking lots.

<b>Lot Name</b>	<b>22/23 Budget</b>	<b>21/22 Budget</b>	<b>Variance</b>	<b>Reason</b>	<b>Consultant/Contractor</b>
Lyell Avenue	\$10,462.00	\$9,955.00	\$507.00	Increase in lot insurance rate	Quality Home Furnishings, LLC Thomas Sullivan
Monroe/Oxford	\$18,700.00	\$16,200.00	\$2500.00	Increase in lot RG&E, snow plowing & insurance rates	Goodman Properties Management LLC Andrew Tickle
Woodside/Goodwill	\$16,250.00	\$15,150.00	\$1,100.00	Increase in lot snow plowing, landscaping and maintenance rates	Woodside Goodwill Parking Lot LLC Dominic C. Zicari
Culver/Merchants	\$13,750.00	\$10,650.00	\$3,100.00	Increase in lot sealing striping, landscaping and maintenance rates	Culver Merchants Business Association, Inc. Ann Page
North Street	\$11,700.00	\$12,650.00	-\$950.00	Decrease in lot repairs	Domicello Enterprises, LLC Phillip Domicello
Mt Hope	\$1,000.00	\$1,000.00	\$0.00	N/A	1400 Mt. Hope Ave LLC David L. Gandell
<b>Total Budgets</b>	<b>\$71,862.00</b>	<b>\$65,605.00</b>	<b>\$6,257.00</b>		
<b>Rollover Untaxed</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>		
<b>Total Assessments</b>	<b>\$71,862.00</b>	<b>\$65,605.00</b>	<b>\$6,257.00</b>		

The City Council first authorized the establishment of Special Assessment District parking lots in 1979 in Resolution Nos. 79-15 and 79-16. The authorized districts currently are: Lyell Avenue, Monroe Avenue/Oxford Square, Woodside/Goodwill, Culver/Merchants, and Mt. Hope, in the College town district. Annual operating and maintenance costs of the areas are assessed against all properties within the district according to their respective parking space requirements.

The assessments fund snow plowing, cleaning, landscaping, maintenance, lighting and parking enforcement. These services are provided either by City personnel, by private companies under contract to the City, or by the property owners themselves. It is impractical to go out to bid due to the direct involvement of each contractor to each respective lot.

A public hearing is required for these local improvements.

Respectfully submitted,  
Malik D. Evans  
Mayor

Local Improvement Ordinance No. 1790  
(Int. No. 152)

**Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas for 2022-23**

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

Section 1. The 2022-23 assessment for operation and maintenance of the special assessment district parking lots listed below shall be \$71,862. The assessment amounts are hereby authorized and appropriated and shall be allocated and levied against the properties benefited by the special assessment district parking lots that were established and continued by the Local Improvement Ordinances (LIOs) specified, as follows:

<b>Lot Name</b>	<b>Establishing and latest LIO No.</b>	<b>2022-23 Assessment</b>
Lyell Avenue	1548/1704	\$10,462
Monroe/Oxford	1289/1770	\$18,700
Woodside/Goodwill	1517/1665	\$16,250
Culver/Merchants	1534/1688	\$13,750
North Street	1258/1771	\$11,700
Mt. Hope	1651/NA	\$ 1,000

Section 2. The 2022-23 budget for the operation and maintenance of the special assessment district parking lots shall be \$71,862 comprised of the assessed amounts specified in Section 1 herein.

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

Section 4. This ordinance shall take effect on July 1, 2022.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-118  
Re: RASE Commission:  
intermunicipal agreement, Budget  
amendment, and amendatory consultant  
agreement

Council Priority: Jobs and Economic  
Development

Comprehensive Plan 2034 Initiative Area:  
Planning for Action

Transmitted herewith for your approval is legislation to enhance the community's Racial and Structural Equity (RASE) initiatives as follows:

1. Authorizing an intermunicipal agreement (IMA) with Monroe County committing the County to provide \$25,000 and to join the City's consulting agreement with Cedar Grove Institute for Sustainable Communities (Cedar Grove) to evaluate and identify methods to effectuate the RASE Commission's recommendations.
2. Amending the 2021-22 Budget of the City of Rochester by increasing the Budget of Undistributed Expenses by \$25,000 to reflect the funds to be received from Monroe County pursuant to the IMA; and
3. Amending the professional services agreement between the City and the Cedar Grove authorized in Ordinance No. 2021-342 by increasing the agreement's maximum compensation by \$25,000 to a new maximum of \$75,000, with the amendatory compensation to be funded from the 2021-22 Budget of Undistributed Expense. All other terms will remain the same.

The RASE Commission was appointed in 2020 by the City and Monroe County to identify areas of racial and structural inequity in local laws, policies, and ordinances and to recommend how to remedy those inequities to achieve a fair application for all. The RASE Commission released a report of their observations and recommendations in March 2021 (the RASE Report). Pursuant to Ordinance No. 2021-342, in January 2022, the City entered into an agreement with Cedar Grove to provide tracking, oversight and evaluation services and to help identify methods for achieving the recommendations in the RASE Report.

At the invitation of the City, representatives of Monroe County have been consulting on RASE initiatives with the City, Cedar Grove, and other stakeholders. This legislation is proposed to enhance the County's participation by designating the County as an officially involved party in the agreement and by accepting the County's contribution of an additional \$25,000 to enhance the RASE activities being facilitated by Cedar Grove. To accomplish these acts, the existing agreement between the City and Cedar Grove will be amended to clearly outline the nature of the County's participation in RASE activities, and to increase the compensation by \$25,000 to reflect the County's contribution. The County legislature is scheduled to vote on the authorization of the IMA and the contribution of \$25,000 on May 10, 2022.

Cedar Grove was selected for these services in November 2021 based on their unique qualifications and national renown as an expert in civil rights and institutionalized discrimination. The full justification for not issuing a request for proposals that was submitted with the November legislation is attached.

Respectfully submitted,  
Malik D. Evans  
Mayor

**Authorizing an intermunicipal agreement, amending the 2021-22 Budget and amending an agreement to enhance the community’s Racial and Structural Equity (RASE) initiatives**

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 County of Monroe (“County”) committing the County to provide \$25,000 in support and to join in the consultation process that the Cedar Grove Institute for Sustainable Communities is moderating to evaluate and identify methods to effectuate the RASE Commission’s recommendations for advancing RASE initiatives.

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 Undistributed Expenses by \$25,000, which is hereby appropriated from anticipated reimbursements from the County as authorized in Section 1 herein.

Section 3. The Mayor is hereby authorized to enter into an amendatory agreement with Cedar Grove Institute for Sustainable Communities to provide tracking, oversight, and evaluation services for future phases of the RASE initiative. The maximum compensation in the original agreement authorized in Ordinance No. 2021-342 is hereby increased by \$25,000 to a new total of \$75,000. The amendatory compensation amount shall be funded from the 2021-22 Budget of Undistributed Expense.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-119  
Re: Agreement – OpenGov, Inc., Budget  
Software Solution

Council Priority: Deficit Reduction and Long Term  
Financial Stability

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$374,425 as total maximum compensation for an agreement with OpenGov, Inc., (Zac Bookman, CEO) of San Jose, California to



provide a budget preparation and budget book software solution and services. The cost of this agreement includes an initial implementation service fee of \$56,425 to be funded from 2020-21 Cash Capital and annual subscription fees in the amount of \$106,000 to be funded from the 2022-23, 2023-24, and 2024-25 budgets of the Office of Management and Budget, contingent upon their approval. The term of the agreement will be three years.

OpenGov, Inc. will provide a software solution for the City's budget preparation process to improve the efficiency of budget submissions, analysis of departmental requests, and subsequent budget development. This solution will simplify the budget book production process and standardize and automate key performance indicator data collection and presentation.

In addition to improvements in the internal budget production process, OpenGov provides citizen engagement and transparency opportunities via OpenBudget, an interactive dashboard with access to the budget in a public-facing web-based format. OpenGov also provides a mechanism to produce 'stories' online to share content on capital projects, ARPA projects and other initiatives with text and images to present complex information in a user-friendly way. The annual budget book will also be produced in an online friendly format.

OpenGov was selected through a request for proposal process described in the attached summary.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AV- 85

Ordinance No. 2022-119  
(Int. No. 154)

### **Authorizing an agreement for budget 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 OpenGov, Inc. to provide a budget preparation and budget book software solution and services. The maximum compensation for the agreement shall be \$374,425, which shall be funded in the amount of \$56,425 from the 2020-21 Budget of Cash Capital, and in the amounts of \$106,000 from the 2022-23 Budget of the Office of Management and Budget (OMB), \$106,000 from the 2023-24 Budget of OMB, and \$106,000 from the 2024-25 Budget of OMB contingent upon approval of said budgets. The term of the agreement shall extend for three years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Resolution No. 2022-25  
Re: Reappointments – Civil Service  
Commission

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation confirming the reappointments of Tashanda D. Thomas, Rochester, New York 14619, and Andrew W. Dimock, Rochester, New York 14607, to the Civil Service Commission.

Ms. Thomas was appointed in January 2022 to complete the term of a commissioner who resigned. Of the 3 regular meetings held during her current term, Ms. Thomas attended 2 or 67%. Ms. Thomas is a Democrat whose current term expires on May 31, 2022. Her new term will extend to May 31, 2028.

Mr. Dimock was appointed in January 2022 to complete the term of a commissioner who resigned. Of the 3 regular meetings held during his current term, Mr. Dimock attended 2 or 67%. Mr. Dimock is a Democrat whose current term expires on May 31, 2022. His new term will extend to May 31, 2028.

Resumes for Ms. Thomas and Mr. Dimock are available for review in the City Clerk's Office.

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

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment AV-70

Resolution No. 2022-25  
(Int. No. 155)

**Resolution approving appointments to the Rochester Civil Service Commission**

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

Section 1. The Council hereby approves the appointment of Tashanda D. Thomas to the Rochester Civil Service Commission for a term which shall expire on May 31, 2028.

Section 2. The Council hereby approves the appointment of Andrew W. Dimock to the Rochester Civil Service Commission for a term which shall expire on May 31, 2028.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-120  
Re: Re: Refunding of General Obligation  
Refunding Serial Bonds-2012 Series IV,  
General Obligation Refunding Serial Bonds-  
2012 Series V, General Obligation Serial Bonds  
2013-Series I and General Obligation Serial  
Bonds 2013-Series II

Council Priority: Deficit Reduction and Long Term  
Financial Stability

Transmitted herewith for your approval is legislation authorizing the refunding of outstanding bonds of the City of Rochester. It will be accomplished by the issuance of not to exceed \$30,000,000 in General Obligation Refunding Serial Bonds, 2022 ("Current Bonds"). The proceeds of the Current Bonds will be used to redeem portions of the following outstanding bonds (the "Prior Bonds"): \$14,655,000 General Obligation Refunding Serial Bonds-2012 Series IV, \$19,390,000 General Obligation Refunding Serial Bonds-2012 Series V, \$29,150,000 General Obligation Serial Bonds 2013-Series I and \$67,470,000 General Obligation Serial Bonds 2013-Series II, all in accordance with the redemption provisions of those prior bonds.

Current refunding of bonds is regulated by New York State Local Finance Law (Section 90.00), which requires that there must be a demonstrated present value savings, and that the transaction be approved by the State Comptroller's Office, which in turn requires the authorization of City Council. The Current Bonds must provide proceeds, together with future interest earnings, sufficient to cover the redemption price (principal and interest) of the Prior Bonds and bond issue costs. The Prior Bonds are redeemable at par without redemption premiums or penalties.

As a result of lower interest rates since the issuance of the Prior Bonds and optional redemption provisions included in the Prior Bonds, it now becomes economically advantageous to the City to refinance the Prior Bonds by issuance and sale of the Current Bonds, serially maturing from 2022 through 2031. This redemption plan is expected to result in an aggregate net present value savings of at least \$335,463.

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

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AV-71

Ordinance No. 2022-120  
(Int. No. 156)

**Bond Ordinance of the City of Rochester, New York, authorizing the issuance of not to exceed \$30,000,000 General Obligation Refunding Serial Bonds, 2022 of said City to currently refund the outstanding portions of the City's \$14,655,000 Refunding Bonds – 2012, Series IV; \$19,390,000 Refunding Bonds – 2012, Series V; \$29,150,000 General**

**Obligation Serial Bonds – 2013, Series I; and \$67,470,000 General Obligation Serial Bonds – 2013, Series II**

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") issued its \$14,655,000 Refunding Bonds – 2012, Series IV (the "Series IV 2012 Bonds"), which series maturing on or after October 15, 2023, are subject to optional redemption by the City on or after October 15, 2022; approximately \$3,525,000 of the Series IV 2012 Bonds remain outstanding as of the date hereof.

Section 2. The City issued its \$19,390,000 Refunding Bonds – 2012, Series V (the "Series V 2012 Bonds"), which series maturing on or after February 15, 2023, are subject to optional redemption by the City on or after after February 15, 2022; approximately \$1,885,000 of the Series V 2012 Bonds remain outstanding as of the date hereof.

Section 3. The City issued its \$29,150,000 General Obligation Serial Bonds – 2013, Series I (the "Series I 2013 Bonds"), which series maturing on or after February 1, 2023, will be subject to optional redemption by the City on or after February 1, 2022; approximately \$8,815,000 of the Series I 2013 Bonds remain outstanding as of the date hereof.

Section 4. The City issued its \$67,470,000 General Obligation Serial Bonds – 2013, Series II (the "Series II 2013 Bonds"), which series maturing on or after February 1, 2023, will be subject to optional redemption by the City on or after February 1, 2022; approximately \$7,485,000 of the Series II 2013 Bonds (City Purpose) and \$7,380,000 of the Series II 2013 Bonds (School District Purpose) remain outstanding as of the date hereof. The Series II 2013 Bonds, together with the Series IV 2012 Bonds, the Series V 2012 Bonds and the Series I 2013 Bonds, are collectively referred to herein as the "Prior Bonds").

Section 5. As a result of lower interest rates since the issuance of the Prior Bonds and optional redemption provisions included in the Prior Bonds, it now becomes economically advantageous to the City to refinance the Prior Bonds by issuance and sale of the City's not to exceed \$30,000,000 General Obligation Refunding Serial Bonds, 2022 (the "2022 Refunding Bonds"), serially maturing from 2022 through 2031. The plan of financing includes the issuance of such not to exceed \$30,000,000 refunding serial bonds of the City to finance redemption of the Prior Bonds, net escrow costs and costs of issuance, and to secure payment of the 2022 Refunding Bonds with 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 in the manner provided for the Prior Bonds. Aggregate net present value savings for the Prior Bonds based on the refunding are presently estimated to exceed \$335,463. The principal amount of the 2022 Refunding Bonds shall not exceed the amount sufficient to pay the sum of (i) the outstanding aggregate principal amount of the Prior Bonds, (ii) the aggregate amount of unmatured interest payable on the Prior Bonds to and including the applicable redemption dates, (iii) costs and expenses incidental to the issuance of the 2022 Refunding Bonds, including development of the refunding financial plan submitted to City Council herewith and made a part of this Ordinance and of executing and performing the terms and conditions of the escrow contract and all fees and charges of the escrow holder. The Prior Bonds are redeemable at par without redemption premiums or penalties.

Section 6. 2022 Refunding Bonds of the City in the principal amount of not to exceed \$30,000,000 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 7. The maturity date of the 2022 Refunding Bonds shall not exceed the remaining weighted average maximum periods of probable usefulness established for the capital assets financed with the proceeds of the Prior Bonds from the date of issuance of the first bond anticipation note issued in anticipation of any of the Prior Bonds.

Section 8. Each of the 2022 Refunding Bonds authorized by this Ordinance shall contain the recital of validity as prescribed by Section 52.00 of the Law and 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 the 2022 Refunding Bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 9. Subject to the provisions of this Ordinance and of said Law, 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 and sale of the 2022 Refunding Bonds herein authorized and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the issuance and sale of the 2022 Refunding Bonds on a negotiated or competitive basis, in accordance with Sections 90 and 90.10 of the Law, as well as the selection of an underwriter, if applicable, and execution of agreements for escrow of bond proceeds and credit enhancement, if any, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 10. Issuance and sale of the 2022 Refunding Bonds shall be subject to the written authorization of the Comptroller of the State of New York, as provided in the Law.

Section 11. The validity of the bonds authorized by this Ordinance 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 12. 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.

Section 13. This Ordinance shall constitute the City's election to call the Prior Bonds for redemption and the escrow agent selected by the City shall call the Prior Bonds for redemption in compliance with the financial plan and in accordance with Section 53.00 of the Law, including appropriate publication of notice of such redemption in the City's official newspaper.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-121  
Re Apportionment of Taxes and Charges

Transmitted herewith for your approval is legislation authorizing the apportionment of taxes and charges for 34 properties. This apportionment has been certified by the Assessor and is authorized by §6-78 of the City Charter.

The apportionment consists of City and School taxes and special district charges on properties subdivided or combined in 2021-2022. These taxes and charges, which total \$47,434.06, will be added to the new accounts established by the subdivisions or combinations of the former accounts.

If the proposed apportionment is approved, the taxes and charges will be added to the July 2022 tax bills of the new accounts. Owners of the subdivided or combined properties will be notified in writing of the potential charges in May 2022.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AV-72

Ordinance No. 2022-121  
(Int. No. 157)

### **Approving the apportionment of taxes and charges**

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

Section 1. The Council hereby approves the apportionment of taxes and charges upon 34 parcels of land as certified by the Assessor of the City of Rochester, pursuant to Section 6-78 of the Charter of the City of Rochester, in accordance with the list which is available in the Office of the City Clerk.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-122  
Re Agreement - Real Estate Title Services

Transmitted herewith for your approval is legislation authorizing an agreement with Independent Title Agency, LLC, 200 Canal View Blvd in Brighton, NY (Denise Harbaugh, Manager), for the continued provision of real estate title services, with two annual renewals. The maximum cost of the agreement will be \$250,000 per year. The first year will be funded from the Budget of Undistributed Expense for 2022-2023, and the optional renewals from the 2023-2024 and 2024-2025 Budgets of Undistributed Expenses respectively, contingent upon adoption of those budgets.

Each year, the City requires title services for properties that are involved in tax foreclosure proceedings and real estate transactions. Currently, these services have been provided by Independent under agreements authorized by the City Council in 2002, 2005, 2006, 2009, 2012, 2015, and 2018. The 2018 agreement was authorized by Ordinance No. 2018-220.

For the last tax foreclosure, Independent searched 1,773 titles. For this year's action, Independent is expected to search approximately 2,921 titles.

On March 1, 2022, the Law Department solicited proposals to provide these services from 27 organizations. Only Independent Title submitted a proposal.

Under the proposed agreement, Independent Title will provide title services, as well as prepare creditor notification letters for properties in foreclosure, for the following fees per parcel. The price for foreclosure searches has increased over the fees provided in the current agreement.

Service	Proposed Fee	Current Fee
Preliminary (10-year) report	\$ 105	\$ 95
Update of prior preliminary report	80	70
Full (60-year) report with prior preliminary search	210	200
Full search without prior preliminary search	300	260
Multiple chains of title. . .added charge per add'l chain	175	165

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2022-122  
(Int. No. 158)

### **Authorizing an agreement for real estate title services**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Independent Title Agency, LLC for the provision of real estate title services. The term of the agreement shall be one year, with two optional one-year renewals. The maximum annual compensation for the agreement shall be \$250,000, which shall be funded in the amount of \$250,000 from the 2022-23 Budget of Undistributed Expenses for the first year, and from subsequent Budgets of Undistributed Expenses contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-123  
Re Outside Conflict Counsel Services:  
professional services agreement

Transmitted herewith for your approval is legislation authorizing a professional services agreement with the Law Offices of Pullano & Farrow PLLC (Managing Member: Brett Farrow) located at 69 Cascade Drive, Rochester, 14614 (Pullano & Farrow) to provide outside counsel conflict representation for any matter or proceeding in which the Law Department has a conflict of interest.

The agreement will have a term of one year with the option to extend for additional time as necessary to conclude any pending case. The maximum compensation for the agreement will be \$25,000, which will be funded from the 2021-22 Budget of the Law Department.

In 2018, Pullano & Farrow was selected through a request for proposal process to provide conflict counsel services for Rochester Police Department disciplinary hearings (Ordinance No. 2018-142). The justification for not issuing a new request for proposals for this legislation is attached.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AV-86

Ordinance No. 2022-123  
(Int. No. 159)

### **Authorizing an agreement for conflict counsel services**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Law Offices of Pullano & Farrow PLLC to provide legal services as conflict counsel for any matter or proceeding in which the Law Department has a conflict of interest. The term of the agreement shall be for one year with the option to extend for the additional time necessary for the conflict counsel to conclude a pending case. The maximum compensation for the agreement shall be \$25,000, which shall be funded from the 2021-22 Budget of the Law Department.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.



TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-124  
Re Professional Services Agreement –  
Rochester Genesee Regional Transportation  
Authority, Fueling of City of Rochester  
Vehicles

Transmitted herewith for your approval is legislation authorizing an agreement with Rochester Genesee Regional Transportation Authority (RGRTA) for the continued refueling of City vehicles at the RGRTA facility at 1372 East Main Street.

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

Under this agreement, RGRTA provides unleaded fuel to City vehicles (primarily police vehicles) operating on the east side of the City to avoid unnecessary travel to the Central Vehicle Maintenance Facility located on the west side. It also provides diesel fuel to Rochester Fire apparatus housed near the East Main Street facility.

Under the proposed agreement, the City will reimburse RGRTA for the actual cost of the fuel and pay an administrative and service charge of 19.5 cents per gallon.

The term of this agreement will be one year with four additional one year renewals.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2022-124  
(Int. No. 178)

**Authorizing an agreement related to refueling of City vehicles**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Rochester Genesee Regional Transportation Authority (RGRTA) for fueling of City vehicles at the RGRTA facility at 1372 East Main Street in the City. The agreement shall extend for a term of one year, with the option upon mutual consent to extend the term by up to four additional periods of one year each. The agreement shall obligate the City to reimburse RGRTA for the actual cost of the fuel and to pay an administrative and service charge of \$0.195 per gallon. Funding shall be provided from the present and future annual budgets of the various City departments that utilize the service, contingent upon the approval of the budgets for future fiscal years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-125  
Re: Intermunicipal Agreement - Chilled  
Water Service to Blue Cross Arena at the  
War Memorial

Council Priority: Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative:  
Sustaining Green Systems

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with the County of Monroe to continue to provide chilled water service for air conditioning the Blue Cross Arena at the War Memorial.

Since 1981 and pursuant to Ordinance No. 81- 469, the County has been providing chilled water service to the Arena from the County's chilled water production plant in the Civic Center Garage. The purpose of this legislation is to continue and update the terms of the original agreement and to remove from it provisions for services that are no longer required by the City.

The compensation for the chilled water service will consist of: (a) an annual use charge based on the County's operational costs for each unit of chilled water refrigeration (measured in BTUs) provided to the Arena; and (b) capital charges based on the Arena's use-based pro rata share of the costs for any capital improvements to the Facility made during the term of the agreement.

The term of this agreement will be 10 years with the options to extend for up to three additional periods of 10 years each.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2022-125  
(Int. No. 179)

**Authorizing an intermunicipal agreement with the County of Monroe to provide chilled water service for the Blue Cross Arena at the War Memorial**

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 County of Monroe (County) to provide chilled water for air conditioning at the Blue Cross Arena at the War Memorial (BCA) from the County's chilled water facility in the Civic Center Garage (Facility). The compensation for the service shall consist of: (a) an annual use charge based on the number of chilled water refrigeration units used by BCA (measured in tons of British Thermal Units or another comparable measurement unit) multiplied by the average cost of each unit of refrigeration produced by the Facility; and (b) capital charges based on BCA's use-based pro rata share of the costs for any Facility capital project that is conducted during the term of the

agreement. The agreement shall have a term of ten years with options to extend for up to three additional periods of ten years each.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-126  
Ordinance No. 2022-127  
Re Tax Apportionment Assessment Classes –  
Tax Shift

Council Priority: Deficit Reduction and Long  
Term Financial Stability

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

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

The certification involves the determination of the “base proportion.” In general, the base proportion for each class represents the share of the property tax levy to be allocated to that class. This determination involves two computations. The first is the calculation of the current base proportions using 1989 and 2020 data. The second is the calculation of the adjusted base proportions using 2021 and 2022 data. Both calculations are attached.

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

Homestead:	.4176910
Non-Homestead:	<u>.5823090</u>
Total:	1.0000000

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

Homestead:	.4165573
Non-Homestead:	<u>.5834427</u>
Total:	1.0000000

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

Homestead: +0.11%  
Non-Homestead: -0.08%

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AV-73

Ordinance No. 2022-126  
(Int. No. 181)

**Determining and certifying base proportions, current percentages, and base percentages for the 2022 Assessment Roll**

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the current base proportions, current percentages, and base percentages for the City's 2022 assessment roll to be as follows:

	<b>Homestead Class</b>	<b>Non-Homestead Class</b>
Current base proportions	41.76910%	58.23090%
Current percentage	60.20760%	39.79240%
Base percentage	52.03550%	47.96450%

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2022-127  
(Int. No. 182)

**Determining and certifying adjusted base proportions, assessed value, and net changes in assessed value for the 2022 Assessment Roll**

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the adjusted base proportions, assessed value, and net change in assessed value for the City's 2022 assessment roll to be as follows:

	Homestead Class	Non-Homestead Class
Adjusted base proportion	.4165573	.5834427
Taxable assessed value	4,587,575,015	3,036,879,882
Net change in assessed value from 2021 resulting from physical and quantity changes	+26,234,189	+39,788,150
Net change in assessed value from 2021 resulting from other than physical and quantity changes	+69,800	+849,143

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson  
May 10, 2022

To the Council:

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

Int. No. 160 Authorizing a \$2,300,000 loan agreement to finance affordable housing for the Tailor Square Mixed-Use Project

Int. No. 180 Authorizing the sale of real estate and grant agreement for a Buy the Block project

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

Int. No. 163 Amending the 2021-22 Annual Action Plan to fund and authorize additional HOME Investment Partnership projects through the American Rescue Plan Act of 2021

The **NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE** recommends the following entitled legislation to be **HELD** in Committee:

Int. No. 161 Amending the 2021-22 Budget for the Housing Rehabilitation Programs

Int. No. 162 Amending the 2021-22 Budget for the Owner Occupant Roof Program

Respectfully submitted,  
Michael A. Patterson  
LaShay D. Harris  
Kimberly Smith (*Absent*)  
Mary Lupien  
Miguel Meléndez (*Abstained on Int. No. 180*)  
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed, and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-128  
Re: Tailor Square Mixed-Use Project

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Tailor Square redevelopment project, a mixed-use mixed-income project to include affordable rental housing for seniors aged fifty-five and older and seniors in need of supportive housing, and 77,000 square feet of clothier manufacturing space (Project). The Project is being undertaken by Home Leasing, LLC (Bret Garwood, Chief Executive Officer), headquartered at 700 Clinton Square, Rochester, New York 14604. The project is located at and includes the purchase of the existing Hickey Freeman Tailored Clothing, Inc. (Stephen Granovsky, CEO), clothier manufacturing facility on three contiguous properties located at 1155 North Clinton Avenue, 313 Avenue D, and 24 Morrill Street in the El Camino neighborhood in Northeast Rochester.

This legislation will:

1. Authorize a \$2,300,000 construction/permanent loan agreement with Home Leasing, LLC or an affiliated partnership or housing development fund corporation to be formed by Home Leasing, LLC for the Project, funded by \$1,875,000 in HOME funds and \$425,000 in Cash Capital funds, and appropriate the same respective amounts as detailed below, to the Housing Revolving Loan Fund.

\$1,875,000 HOME funds:

\$ 290,980.00: 2020-21 Consolidated Plan/2020-21 Annual Action Plan, Affordable Housing Fund  
\$ 1,584,020.00: 2020-21 Consolidated Plan/2021-22 Annual Action Plan, Affordable Housing Fund

\$425,000 Cash Capital funds:

\$ 5,732.30: 2017-18 Cash Capital  
\$ 54,074.27: 2018-19 Cash Capital  
\$ 365,193.43: 2019-20 Cash Capital

The loan will serve initially as a 1% construction loan, with interest-only payments made annually during the construction period. At conversion to permanent financing it will become a 35 year, 1% interest-only, cash flow dependent loan payable annually, with the outstanding principal balance and any accrued interest due at the end of the 35 year term.

2. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein; and
3. Authorize the Mayor to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.
4. Authorize the Director of Finance to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

The Tailor Square project was conceived in response to the local community's need for mixed-income affordable and supportive senior housing as well the necessary right-sizing of Hickey Freeman at its existing facility on North Clinton Avenue in the El Camino Neighborhood. Hickey Freeman has continuously operated at this location for more than 100 years, one of the few remaining facilities of its type in the United States. It is one of the most important economic assets in the northeast section of the city, employing more than 200 people. The facility is now much too large for the company's needs. Rehabilitating this property will allow Hickey Freeman to provide their diverse workforce (who speak over 20 different languages) with a well-organized, efficient, and climate-controlled workspace. As a result, the Project will help to allow for the continuation of Hickey Freeman's manufacturing activity while transforming the majority of the property into much needed affordable housing for seniors. There will also be an opportunity for Hickey Freeman's employees to co-locate their work and residence.

The Project includes a sustainable combination of renovation and historic preservation. Accordingly, it will repurpose the existing approximately 233,000 square foot four-story historic clothier manufacturing structure (circa 1912) into 134 new affordable residential units along with 77,000 square feet dedicated to Hickey Freeman business operations, along with approximately 240 parking spaces for residents, guests, employees, and patrons. The residential buildout will include high-quality apartments affordable to households with income ranging from less than 30% of the Median Family Income (MFI) up to 70% of MFI. Forty-five (45) apartments (33% of project total) will be set aside for People Inc. referrals as permanent supportive housing units for frail elders as defined by the Empire State Supportive Housing Initiative (ESSHI). The remaining unit mix will be as follows: 43 units for households at or below 50% MFI; 23 units at or below 60% MFI; 15 units at or below 70% MFI; and, eight units with Project-Based Vouchers through the Rochester Housing Authority, which will ensure affordability to households under 30% MFI. There will be 14 (10%) fully adapted units for persons with physical disabilities and six (4%) units will be adapted for those who are hearing and visually impaired. All units will be visitable.

Home Leasing has control of the Hickey Freeman-owned three-parcel six-acre property through an existing single purchase and sale contract. Upon Home Leasing's purchase of the property, Hickey Freeman will remain as the sole commercial tenant and has agreed to an initial ten-year lease with an option to extend the initial term for two (2) renewal terms of five (5) years each.

As community engagement is critical to such a prominent and multifaceted redevelopment project, Home Leasing began meeting with community representatives and organizations at the end of 2020 and into 2021. Home Leasing has also engaged a wide breadth of local, state, and federal agencies and stakeholders to discuss the proposed redevelopment Project, resulting in stated support and funding commitments. The Tailor Square Project is supported by citywide and neighborhood plans and is well positioned to leverage several recent public-private investments in the neighborhood

including the nearby Wollensack building with all units below 50% MFI, Michelson Apartments on Avenue D, a rehabilitation of vacant industrial buildings into 59 affordable units, Son House Apartments on Joseph Avenue with 21 units for formerly homeless individuals, the 164-unit, mixed-income, mixed-use, Edna Craven Estates at the corner of Joseph and Clifford Avenue, and the \$35 million Pueblo Nuevo project by the Ibero-American Development Corp which includes single-family homes, duplexes, apartments, and a community center. The Project is also near the La Avenida streetscape project and La Marketa at the International Plaza on North Clinton Avenue.

This \$79.5 million Project will utilize the following funding sources: Low Income Housing Tax Credits (LIHTC); Federal and State Historic Tax Credits (HTC); NYS Housing Trust Fund Corporation (HTFC) funds; NYS Housing Finance Agency (HFA) funds; Federal Housing Trust Fund (FHTF) funds; NYS Homes and Community Renewal (HCR) funds; New York Energy Research and Development Authority (NYSERDA) credits; NYS Empire State Development (ESD) funds; Monroe County Industrial Development Corporation (MCIDC) funds; City of Rochester HOME, Community Development Funds (CDF), and Cash Capital funds; Rochester Gas and Electric (RG&E) funds; geothermal incentive funds; sponsor loan; and, a deferred developer fee. In addition to the City's \$2,300,000 affordable housing loan, NBD will provide a \$250,000 business loan funded by City CDF funds, to the Project. The Project was awarded a payment in lieu of taxes (PILOT) by the COMIDA on August 17, 2021.

The sources and uses for the Project are summarized below:

<u>Uses</u>		<u>Permanent Sources</u>	
Land Acquisition	\$4,450,000	LIHTC	\$24,424,531
Soft Costs	\$10,809,258	HFA SHOP	\$15,205,000
Hard Costs	\$51,687,417	Fed. HTC	\$11,627,504
Contingency	\$5,168,742	HFA (1 <sup>st</sup> Mortgage)	\$5,000,000
Reserves	\$851,346	HTFC HWF	\$4,000,000
Developer Fee	\$6,478,784	NYS HTC	\$3,499,650
		NYS ESD	\$2,500,000
		City Loan (HOME & CC funds)	\$2,300,000
		HTFC CIF	\$2,000,000
		HFA FHTF	\$1,955,309
		HCR (Clean Energy Initiatives)	\$1,675,000
		Sponsor Loan	\$1,500,000
		HCR Interest (Construction)	\$1,425,605
		RG&E	\$695,800
		Deferred Developer Fee	\$570,673
		City Business Dev. Loan (CDF)	\$250,000
		MCIDC	\$500,000
		NYSERDA/Fed. Solar Credits	\$289,675
		Geothermal Incentives	\$26,800
<b>TOTAL</b>	<b>\$79,445,547</b>	<b>TOTAL</b>	<b>\$79,445,547</b>

Home Leasing is anticipated to close on Project funding and begin construction in July 2022. Construction of the Project is expected to be completed in approximately 27 months. Workforce goals for the project are 6.9% women and 20% minorities and 25% City residents, along with a combined goal of 30% for MBE/WBE firms.



Site Plan approval for the Project was issued by the City on July 14, 2021. A letter of support for the proposed PILOT was approved by the PILOT Review Committee on February 4, 2021. A National Environmental Policy Act (NEPA) review is underway and will be completed prior to entering into any agreements for the Project. SEQR review has been completed, and a Negative Declaration was issued for the Project on July 7, 2021.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AV-74

Ordinance No. 2022-128  
(Int. No. 160)

**Authorizing a \$2,300,000 loan agreement to finance affordable housing for the Tailor Square Mixed-Use 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 loan agreement with Home Leasing, LLC or an affiliated partnership or housing development fund corporation to be formed by Home Leasing, LLC (collectively, the Borrower) to provide construction and permanent financing for the development of approximately 134 affordable rental housing units for seniors and for seniors in need of supportive housing as part of the Tailor Square Mixed-Use Project to be located on three contiguous properties at 1155 North Clinton Avenue, 313 Avenue D and 24 Morrill Street (the Project). The loan shall be in the amount of \$2,300,000, which shall be funded from the amounts appropriated in Section 3 herein. The term of the loan shall extend through the construction of the Project and continue for an additional term of 35 years commencing upon the closing on permanent financing that follows the completion of Project construction. The loan shall have an annual interest rate of 1% for its entire term. During the construction phase, the Borrower shall make annual repayments of interest only. During the permanent financing phase, the Borrower shall make annual repayments of interest only, except when there is insufficient Project cash flow to do so. A balloon payment of the loan principal and any unpaid interest shall be due at the end of the loan term.

Section 2. The sum of \$425,000 from the following sources is hereby appropriated to the Housing Revolving Loan Fund: \$5,732.30 from 2017-18 Cash Capital, \$54,074.27 from 2018-19 Cash Capital, and \$365,193.43 from 2019-20 Cash Capital.

Section 3. The sum of \$2,300,000 from the following sources is hereby appropriated as principal for the Project loan authorized herein:

- (a) \$290,980 from the Project No. 22 Affordable Housing Fund allocation in the 2020-21 Annual Action Plan;

- (b) \$1,584,020 hereby appropriated from the Project No. 26 Affordable Housing Fund allocation in the 2021-22 Annual Action Plan; and
- (c) \$425,000 from the Housing Revolving Loan Fund.

Section 4. The Mayor and the Director of Finance are hereby authorized to adjust the loan interest rate and other terms and conditions of the agreement to conform to legal and other requirements for the Project.

Section 5. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the loan agreement authorized herein.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-129  
Re: Amendment of the 2021-2022 Annual  
Action Plan, Consolidated Community  
Development Plan, Home Investment  
Partnership (HOME-ARP) Funding

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

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation amending the 2021-22 Annual Action Plan, which was approved by City Council at the June 16, 2021 City Council Meeting, Ordinance No. 2021-185. This amendment relates to the receipt and use of a one-time funding award of Home Investment Partnership (HOME-ARP) Funding from the Department of Housing and Urban Development (HUD). It also includes the addition of HOME-ARP eligible projects to serve specific vulnerable populations, as defined by HUD and further described below, to the 2021-22 Annual Action Plan. This legislation will:

1. Amend the 2021-22 Annual Action Plan, Consolidated Community Development Plan, to reflect the receipt and use of a one time award of \$8,982,027 in 2021 Home Investment Partnership-American Rescue Plan Program (HOME-ARP) funds from HUD, specifically to serve the following: persons who are homeless or at risk of homelessness; persons fleeing or attempting to flee domestic violence; veterans and other vulnerable populations including those identified to have the greatest risk of housing instability. Please note these HUD HOME-ARP funds are different and separate from the \$202 million in ARPA funds awarded to the City by the United States Department of Treasury through the State and Local Fiscal Recovery Funds program.

The HOME-ARP funding will be allocated to the following six eligible new projects (HOME-ARP allocation plan) to be added to the 2021-22 Annual Action Plan:

- a. Development and Support of Affordable Housing- HOME-ARP;
  - b. Tenant-Based Rental Assistance (TBRA)- HOME-ARP;
  - c. Provision of Supportive Services- HOME-ARP;
  - d. Acquisition and Development of Non-Congregate Shelter Units- HOME-ARP;
  - e. Non-profit Capacity Building and Operating Assistance- HOME-ARP; and
  - f. Administration and Planning- HOME-ARP;
2. Authorize the submission of the HOME-ARP allocation plan to the U.S. Department of Housing and Urban Development (HUD); and
  3. Authorize agreements with HUD for the receipt and use of grants to fund the HOME-ARP allocation plan.

HUD announced HOME-ARP awards, including \$8,982,027 to the City of Rochester, on April 8, 2021; and on September 13, 2021 HUD issued guidance on requirements for the use of HOME-ARP funds, which must be fully spent by September 30, 2030.

Since the announcement of HOME-ARP funding awards, the City of Rochester in coordination with Monroe County (also a recipient of HOME-ARP funds) and Partners Ending Homelessness, Inc. (PEH, or the local Continuum of Care) have been preparing for the local use of these funds. HOME-ARP funding must primarily benefit qualifying individuals and families who are homeless, at-risk of homelessness, or other vulnerable populations. The Amended Annual Action Plan describes projects and activities that will be undertaken with these federal funds to address priority needs. These funds are intended to address the need for housing and supportive services to the City's homeless population.

This amendment allocates 85% of the above referenced new HOME-ARP funding amongst five new projects to be added to the 2021-22 Annual Action Plan. The remaining 15% of funds will be added to the existing project Program Administration, to reimburse City staff costs in overseeing implementation of the grant.

Per the draft plan amendment, funds will be allocated to new Annual Action Plan projects consistent with the HOME-ARP allocation plan, in the following manner. Allocation percentages for specific activities may change based upon public input received and/or demonstrated need.

<b>Activity</b>	<b>Funding Amount</b>	<b>% of Grant</b>
Development and Support of Affordable Housing	3,143,710	35%
Tenant Based Rental Assistance (TBRA)	898,203	10%
Provision of Supportive Services	1,347,304	15%
Acq. and Dev. of Non-Congregate Shelter Units	1,796,405	20%
Non-Profit Capacity Building Assistance	449,101	5%
Administration and Planning	1,347,304	15%
<b>Total HOME-ARP Allocation</b>	<b>8,982,027</b>	

The City has not yet selected partners for the eligible activities, but anticipates that a Request for Proposals (RFP) or Request for Qualifications (RFQ) process may be used to choose suitable partners. Such agreements would come before City Council for approval at a later date.

The draft plan was developed in coordination with Monroe County (County) and Partners Ending Homelessness, Inc. (PEH, or the Rochester/Monroe County Homeless Continuum of Care). A Community Input session was held on April 20, 2022. A Community Outreach and Engagement Summary is attached.

A public hearing is required on the substantial amendment to the 2021-22 Annual Action Plan, and will be held May 5, 2022.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AV-75

Ordinance No. 2022-129  
(Int. No. 163)

**Amending the 2021-22 Annual Action Plan to fund and authorize additional HOME Investment Partnership projects through the American Rescue Plan Act of 2021**

WHEREAS, in Ordinance No. 2021-185, the City approved and adopted a 2021-22 Annual Action Plan (the Action Plan) to fund and implement community development activities under the federal Community Development Block Grant (CDBG) and other federal programs, including the Home Investment Partnership (HOME);

WHEREAS, a plan for amending the Action Plan to allocate an award to the City of \$8,982,027 to fund certain HOME projects for the homeless and those at risk of homelessness pursuant to the federal American Rescue Plan Act of 2021 (HOME-ARP Amendment) has been prepared, presented to the City Council, and circulated for public review and comment in accordance with the Citizen Participation Plan adopted in Ordinance No. 2020-153, which included:

- (1) Beginning April 4, 2022, posting information about the HOME-ARP Amendment citizen review process for the HOME-ARPA Amendment to the City's Consolidated Plan webpage at <https://www.cityofrochester.gov/ConsolidatedPlan2020/> ;
- (2) Scheduling, publishing on-line notice of, and conducting a Public Input Meeting virtually by means of an on-line video conference on April 20, 2021;
- (3) Scheduling a virtual Public Hearing on the HOME-ARPA Amendment before City Council for May 5, 2022;
- (4) Publishing in the Democrat & Chronicle advanced notice of the Public Hearing and of the availability of said Amendment and inviting the submittal of written comments for a period extending to through 4:00 PM on May 5, 2022;
- (5) Presenting the written comments received to the members of City Council before the Public Hearing; and
- (5) Streaming the Public Hearing live on the Council's Facebook <https://www.facebook.com/RochesterCityCouncil/> and YouTube [https://www.youtube.com/channel/UC\\_U7nbtS5kEz4bjEM8AGXlQ?view\\_as=subscriber](https://www.youtube.com/channel/UC_U7nbtS5kEz4bjEM8AGXlQ?view_as=subscriber) pages;

WHEREAS, the City Council has reviewed the public comments and recommendations on the HOME-ARPA Amendment; and

WHEREAS, the City Council has had the opportunity to review with City staff the needs, strategies and proposed actions to be addressed in the HOME-ARPA Amendment.

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

Section 1. The Council hereby approves and adopts the HOME-ARPA Amendment, which consists of the following amendments to the 2021-22 Annual Action Plan:

- a. Adding \$8,982,027 in additional HOME Investment Partnerships Program funding from the American Rescue Plan Act of 2021 (HOME-ARP) to the 2021-22 Annual Action Plan for five programs to serve the needs of persons who are homeless or at-risk of homelessness, persons fleeing or attempting to flee domestic violence, veterans, and other vulnerable populations including those identified to have the greatest risk of housing instability.
- b. Allocating at least 85% of the above referenced HOME-ARP funding amongst the following five HOME-ARP projects to be added to the 2021-22 Annual Action Plan:
  - (a) Development and Support of Affordable Housing (35%);
  - (b) Tenant-Based Rental Assistance (TBRA) (10%);
  - (c) Provision of Supportive Services (15%);
  - (d) Acquisition and Development of Non-Congregate Shelter Units (20%); and
  - (e) Non-profit Capacity Building and Operating Assistance (5%),with the parenthetical percentage figure for each project being a tentative approximate share of the funds, each of which may be adjusted upward or downward to account for public input and/or demonstrated need.
- b. Allocating the remainder, up to 15% of the HOME-ARP funds, for Administration and Planning, to reimburse City staff costs for overseeing implementation of the five HOME-ARP projects.

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

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-130  
Re: 2021-22 American Rescue Plan Act  
Funding - Sale of Real Estate and Agreement-  
Greater Rochester Housing Partnership,  
Buy the Block Project

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the first phase of the Buy the Block program (the “Project”). City Council approved Ordinance No. 2021-385 on December 14, 2021, authorizing the appropriation of \$13,329,862 from the City of Rochester’s American Rescue Plan Act (ARPA) allocation to operate Buy the Block.

Buy the Block will subsidize the creation of single-family homes to be sold to income-eligible first-time homeowners. This first phase of Buy the Block is expected to result in the new construction of up to twenty-four (24) homes in a formerly-redlined neighborhood in the Northeast quadrant. The Project is being undertaken by the Greater Rochester Housing Partnership, Inc. (GRHP; Principal: Theodora Finn, 16 East Main Street, Suite 610, Rochester, NY) in partnership with Atlas Contractors LLC (Atlas), Ibero American Development Corporation (IADC), and Howard Hanna’s Garcia Team. This legislation will:

1. Authorize the sale of twenty-four (24) vacant parcels (the “Properties”) to the Greater Rochester Housing Partnership, Inc., Greater Rochester Partnership Housing Development Fund Corporation, a related entity, or an entity to be formed by GRHP. The Properties are as follows:

Address	SBL #	Price	Lot Size	Zoning
25 Barons Street	106.32-3-26.001	\$550	68’x135’	R-1
40 Barons Street	106.32-3-8.001	\$600	72’x143’	R-1
825 Clifford Avenue	106.32-3-6.001	\$425	73’x76’	R-1
845 Clifford Avenue	106.33-1-51.003	\$600	68’x108’	R-1
847 Clifford Avenue	106.33-1-51.004	\$600	68’x124’	R-1
61 Cuba Place	106.40-1-53.003	\$475	55’x94’	R-1
West half of 90 Cuba Place	106.40-1-45.001	\$425	52.5’x90.5’	R-1
East half of 90 Cuba Place	106.40-1-45.001	\$425	52.5’x90.5’	R-1
11 Dudley Street	106.33-1-45.001	\$475	54’x124’	R-1
14 Dudley Street	106.33-1-35.001	\$525	70’x123’	R-1
15 Dudley Street	106.33-1-47.001	\$475	53’x124	R-1
14 Thomas Street	106.40-2-42.001	\$475	66’x100’	R-1
22 Thomas Street	106.40-2-46	\$425	44’x107’	R-1
30 Thomas Street	106.40-2-49.001	\$550	66’x149	R-1
38 Thomas Street	106.40-2-54.001	\$550	49’x192’	R-1
56 Thomas Street	106.40-2-61.001	\$500	66’x111’	R-1
101 Weeger Street	106.40-3-8.002	\$600	49’x136’	R-1

109 Weeger Street	106.40-3-10.001	\$600	49'x138'	R-1
145 Weeger Street	106.41-1-4.001	\$600	99'x151'	R-1
22-28 Widman Street	106.40-1-31.001	\$550	66'x147'	R-1
32-36 Widman Street	106.40-1-32.001	\$550	66'x147'	R-1
40-44 Widman Street	106.40-1-33.002	\$550	66'x147'	R-1
50 Widman Street	106.40-1-35.002	\$550	66'x148'	R-1
66 Widman Street	106.40-1-39.001	\$600	122'x148'	R-1
TOTAL:		\$12,675		

2. Establish \$6,000,000 as maximum compensation for an agreement with the Greater Rochester Housing Partnership, Inc., Greater Rochester Partnership Housing Development Fund Corporation, a related entity, or an entity to be formed by GRHP for development subsidies for the Project. The cost of the agreement will be funded from the above-referenced appropriation of \$13,329,862 from the City of Rochester's ARPA allocation, authorized by City Council via Ordinance No. 2021-385 on December 14, 2021. The term of the agreement is for two (2) years.

A Request for Proposals for the development of affordable owner-occupied homes on the Properties was issued on December 14, 2021. The City received two proposals, which were evaluated by staff from the Department of Neighborhood and Business Development, the Department of Environmental Services, and the Office of Planning. GRHP's proposal was recommended for selection based on the proposed development program.

The selected proposal provided six single-family home designs, ranging in size from a fully-accessible 1,033 square foot 2-bedroom, 1-bath single story home to a 1,729 square foot 4-bedroom, 2.5-bath home. The designs proposed are in character with and will enhance the existing neighborhood, and will complement significant ongoing and planned investment, including the Pueblo Nuevo and First Genesis housing developments, and City investment in rehabilitation of existing single-family homes. The materials proposed are high-quality and the designs are reflective of the architecture typically seen in Rochester. Atlas showed a strong understanding of households' needs based on their experiences building homes in Rochester neighborhoods and working with residents. All homes proposed are Energy Star Certified. GRHP has experience working with NYSERDA and will explore funding options to make heat pumps and all-electric homes standard features. One model home of each design will be built in 2022, for six (6) total houses, and up to eighteen (18) additional houses will be built in 2023 based on buyer demand. A map of the project area and the proposed designs are attached.

The total of \$6,000,000 in ARPA funding proposed for development subsidies would provide an average of \$250,000 each for the new construction of approximately twenty-four single-family owner-occupied homes, resulting in anticipated purchase prices between \$89,000 and \$139,000 for buyers. For the first six homes to be built in 2022, it is expected that the City of Rochester will provide all subsidy necessary to make sale prices affordable to low income homebuyers. GRHP will apply to the New York State Affordable Housing Corporation and other sources for additional funding for the other eighteen homes. This additional funding will reduce the amount of ARPA subsidy required for each home. The estimated development cost for each home ranges from \$305,635 to \$349,930. If other funding sources are secured or construction costs change, remaining ARPA funds would be available to be utilized for the construction of additional homes. GRHP intends to apply to COMIDA for the Core Housing Owner Incentive Exemption (CHOICE), a tax abatement program for the creation of owner-occupied residential units that will directly benefit owner-occupants.

The Project was designed to be affordable to homebuyers with incomes of no more than 60% of Median Family Income (MFI), though the Buy the Block program allows for the sale of homes to

purchasers up to 80% MFI, promoting income diversity. All purchasers will be required to attend pre- and post-purchase homebuyer training classes. Purchasers must occupy the homes for a minimum of ten (10) years. Sale of the homes will be permitted after ten (10) years, but the homes must be owner-occupied for a minimum of thirty (30) years.

The Project meets the guidelines in the City’s Affordable Housing Policy as codified in Section 10-11 of the City Code. The Rochester 2034 Comprehensive Plan and the City of Rochester’s 2008 Housing Policy support sustaining and increasing homeownership, and this proposal promotes homeownership in a neighborhood that has experienced disinvestment.

GRHP will comply with the City’s policy on Minority and Women-Owned Business Enterprise (MWBE) and workforce participation. The City’s MWBE goal is 30% of the subsidy provided, the workforce minority goal is 20% of workforce hours, the workforce female goal is 6.9% of workforce hours, and the Rochester city resident workforce goal is 25% of workforce hours. Further, Atlas regularly works with YouthBuild and will endeavor to employ neighborhood residents during the construction process.

SEQRA review is in process. An environmental determination will be issued prior to Council Committee meetings.

Respectfully submitted,  
 Malik D. Evans  
 Mayor

Attachment No. AV-76

Ordinance No. 2022-130  
 (Int. No. 180)

**Authorizing the sale of real estate and grant agreement for a Buy the Block project**

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 vacant City-owned parcels to the Greater Rochester Housing Partnership, Inc. (GRHP), Greater Rochester Partnership Housing Development Fund Corporation, a related entity, or an entity to be formed by GRHP (collectively, the Developer) for a total price of \$12,675 to develop single-family houses thereon for sale to income-eligible first-time homeowners pursuant to the Buy the Block Program (Project):

<b>Address</b>	<b>SBL #</b>	<b>Price</b>	<b>Lot Size</b>
25 Barons Street	106.32-3-26.001	\$550	68’x135’
40 Barons Street	106.32-3-8.001	\$600	72’x143’
825 Clifford Avenue	106.32-3-6.001	\$425	73’x76’
845 Clifford Avenue	106.33-1-51.003	\$600	68’x108’
847 Clifford Avenue	106.33-1-51.004	\$600	68’x124’
61 Cuba Place	106.40-1-53.003	\$475	55’x94’
West half of 90 Cuba Place	106.40-1-45.001	\$425	52.5’x90.5’
East half of 90 Cuba Place	106.40-1-45.001	\$425	52.5’x90.5’
11 Dudley Street	106.33-1-45.001	\$475	54’x124’



14 Dudley Street	106.33-1-35.001	\$525	70'x123'
15 Dudley Street	106.33-1-47.001	\$475	53'x124
14 Thomas Street	106.40-2-42.001	\$475	66'x100'
22 Thomas Street	106.40-2-46	\$425	44'x107'
30 Thomas Street	106.40-2-49.001	\$550	66'x149
38 Thomas Street	106.40-2-54.001	\$550	49'x192'
56 Thomas Street	106.40-2-61.001	\$500	66'x111'
101 Weeger Street	106.40-3-8.002	\$600	49'x136'
109 Weeger Street	106.40-3-10.001	\$600	49'x138'
145 Weeger Street	106.41-1-4.001	\$600	99'x151'
22-28 Widman Street	106.40-1-31.001	\$550	66'x147'
32-36 Widman Street	106.40-1-32.001	\$550	66'x147'
40-44 Widman Street	106.40-1-33.002	\$550	66'x147'
50 Widman Street	106.40-1-35.002	\$550	66'x148'
66 Widman Street	106.40-1-39.001	\$600	122'x148'
<b>TOTAL</b>		<b>\$12,675</b>	

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. The Mayor is hereby authorized to enter an agreement with the Developer to support the development of the Project on the real estate parcels conveyed pursuant to Section 1 herein. The maximum amount of the agreement shall be \$6,000,000, which shall be funded from a portion of the U.S. Treasury funds appropriated to the City's Buy the Block Program in Ordinance No. 2021-385 pursuant to the American Rescue Plan Act of 2021. The term of the agreement shall be two years.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – Vice President Lupien, Councilmembers Gruber, Harris, Lightfoot, Martin, Patterson, Smith – 7.

Nays – Councilmember Peo – 1.

President Meléndez abstained due to a professional relationship.

Councilmember Patterson moved to discharge Introductory No. 161, Amending the 2021-22 Budget for the Housing Rehabilitation Programs; 2<sup>nd</sup> by Councilmember Peo.

Motion to discharge passed unanimously.

Councilmember Patterson moved to amend Introductory No. 161, Amending the 2021-22 Budget for the Housing Rehabilitation Programs; 2<sup>nd</sup> by Councilmember Peo.

Motion to amend passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-131  
Re: 2021-22 American Rescue Plan Act  
Funding- Housing Rehabilitation Program

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing;

Transmitted herewith for your approval is legislation to amend the 2021-22 Budget of the Department of Neighborhood and Business Development (NBD) by \$1,000,000 in American Rescue Plan Act (ARPA) funding from the \$5,827,200 appropriation previously authorized by City Council Ordinance 2021-354 for the Housing Rehabilitation Program.

As part of that Council Ordinance 2021-354 authorization, the 2021-22 Budget of NBD was amended to add an additional \$690,000 to reflect a portion of the appropriated funds. Due to a significant increase in enrollment to the program an additional \$1,000,000 of the \$5,827,200 appropriated in ARPA funds is needed in the current budget.

	<b>Ord. 2021-354</b>
Original Appropriation	\$5,827,200
2021-22 Budget Amendment	<u>-\$690,000</u>
<b>Remaining Appropriation</b>	<b>\$5,137,200</b>
Amendment Proposed Herein	<u>-\$1,000,000</u>
<b>To be included in future year's operating budgets</b>	<b>\$4,137,200</b>

The remaining funds available within the total ARPA appropriation for the Housing Rehabilitation Program will be anticipated and included in future budgets of NBD, contingent upon approval.

The program provides financial assistance to eligible property owners who own a 1-4 family residential structure. The funds allocated in the following manner: to support areas where housing development projects are located; areas where the most gain can be achieved as per the Housing Market Study; and to mitigate blight and hazards city-wide.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2022-131  
(Int. No. 161)

**Amending the 2021-22 Budget for the Housing Rehabilitation Programs, as amended**

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 increasing the revenue estimates and appropriations to the Budget of the Department of Neighborhood and Business Development (NBD) by \$1,000,000 allocated from an additional portion of the American Rescue Plan Act of 2021 (ARPA) grant that was appropriated to the Housing Rehabilitation Program in Ordinance No. 2021-354 (the Program).

Section 2. The Commissioner of NBD shall collaborate with City Council’s Neighborhood and Business Development Committee to develop a lottery program to equitably select eligible recipients for Program grants, commencing with the grants to be funded from the ARPA funds appropriated for the Program in the 2022-23 Budget.

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

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Councilmember Patterson moved to discharge Introductory No. 162, Amending the 2021-22 Budget for the Owner Occupant Roof Program; 2<sup>nd</sup> by Councilmember Peo.

Motion to discharge passed unanimously.

Councilmember Patterson moved to amend Introductory No. 162, Amending the 2021-22 Budget for the Owner Occupant Roof Program; 2<sup>nd</sup> by Councilmember Peo.

Motion to amend passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-132  
Re: 2021-22 American Rescue Plan Act Funding-  
Owner Occupant Roof Program

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing;

Transmitted herewith for your approval is legislation to amend the 2021-22 Budget of the Department of Neighborhood and Business Development (NBD) by \$1,000,000 in American Rescue Plan Act (ARPA) funding from the \$7,852,200 appropriation previously authorized by City Council Ordinance 2021-355 for the Owner Occupant Roof Program.

As part of City Council Ordinance 2021-355 authorization, the 2021-22 Budget of NBD was amended to add an additional \$547,100 to reflect a portion of the appropriated funds. Due to a significant increase in enrollment to the program an additional \$1,000,000 of the \$7,852,200 appropriated in ARPA funds is needed in the current budget.

	<b>Ord. 2021-355</b>
Original Appropriation	\$7,852,200
2021-22 Budget Amendment	<u>-\$547,100</u>
<b>Remaining Appropriation</b>	<b>\$7,305,100</b>
Amendment Proposed Herein	<u>-\$1,000,000</u>

**To be included in future year's operating budgets      \$6,305,100**

The remaining funds available within the total ARPA appropriation for the Owner Occupant Roof Program will be anticipated and included in future budgets of NBD, contingent upon approval.

The program will offer financial assistance to owner-occupants of 1-2 family residential structures for roof replacement.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2022-132  
(Int. No. 162)

**Amending the 2021-22 Budget for the Owner Occupant Roof Program, as amended**

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 increasing the revenue estimates and appropriations to the Budget of the Department of Neighborhood and Business Development (NBD) by \$1,000,000 allocated from an additional portion of the American Rescue Plan Act of 2021 (ARPA) grant that was appropriated to the Owner Occupant Roof Program in Ordinance No. 2021-355 (the Program).

Section 2. The Commissioner of NBD shall collaborate with City Council's Neighborhood and Business Development Committee to develop a lottery program to equitably select eligible recipients for Program grants, commencing with the grants to be funded from the ARPA funds appropriated for the Program in the 2022-23 Budget.

Section-~~2~~ 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

By Councilmember Peo  
May 10, 2022

To the Council:

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

Int. No. 164      Appropriating funds and authorizing an agreement for the North Goodman Street Reconstruction project

- Int. No. 165 Authorizing an agreement related to the St. Bernard's Trail Rehabilitation project
- Int. No. 166 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$211,000 Bonds of said City to finance the 2022 Annual Parking Garage Repair & Reconstruction Project
- Int. No. 167 Amending Ordinance No. 2021-154 in relation to resident project representation services for Annual Parking Garage Evaluation & Repair projects
- Int. No. 168 Authorizing term agreements for environmental site assessment and remedial services
- Int. No. 169 Authorizing agreement and funding for the Green Innovation Grant Program Water Meter Replacement project
- Int. No. 170 Resolution affirming the appropriation of New York State Environmental Facilities Corporation funds and a City match for a Green Innovation Grant Program grant for the City of Rochester Water Meter Replacement project

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

- Int. No. 171 Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District for 2022-23
- Int. No. 172 Local Improvement Ordinance – establishing the operating and maintenance costs of special assessments for streetscape enhancements for 2022-23

Respectfully submitted,

Jose Peo

Mitch Gruber

Willie J. Lightfoot

Mary Lupien

Miguel Meléndez

**PARKS & PUBLIC WORKS COMMITTEE**

Received filed and published.

**TO THE COUNCIL**

Ladies and Gentlemen:

Ordinance No. 2022-133  
Re: North Goodman Street Reconstruction Project  
(Bay Street to Clifford Avenue)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the North Goodman Street Reconstruction Project. This legislation will:

1. Appropriate \$215,000 in anticipated reimbursements from Monroe County to finance a portion of the design and construction administration services for the project; and,
2. Establish \$629,000 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, New York) for engineering design and construction administration services related to this project.

The agreement will be funded from:

<b>Source of Funds</b>	<b>Amount</b>
Monroe County funds appropriated herein	\$215,000
2020-21 Cash Capital	\$329,000
2021-22 Cash Capital	\$85,000
<b>Total</b>	<b>\$629,000</b>

The project will include pavement reconstruction, curbs, sidewalks, curb ramps, catch basins, manhole frames and covers, water main, water services, water anodes, hydrants, street lighting, signal upgrades, signage, and other various improvements as funding allows. The addition of on-street bicycle facilities will be evaluated during preliminary design. These improvements will enhance traffic safety and efficiency, improve the surface drainage and riding quality of the roadway, improve accessibility, and expand the useful life of the pavement structure.

T.Y. Lin International Engineering & Architecture, P.C. was selected to provide engineering design and construction administration services through a request for proposal process, which is described in the attached summary.

Design services will begin in Summer 2022. Construction is anticipated to begin in spring 2024. The design and construction administration phase of the project will result in the creation and/or retention of the equivalent of 6.8 full-time jobs.

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

Respectfully submitted,  
Malik D. Evans  
Mayor  
Attachment No. AV-77

Ordinance No. 2022-133  
(Int. No. 164)

**Appropriating funds and authorizing an agreement for the North Goodman Street Reconstruction project**

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

Section 1. The sum of \$215,000 in anticipated reimbursements from the County of Monroe (County) is hereby appropriated to fund a portion of the cost of design and construction administration services for the North Goodman Street Reconstruction (Bay Street to Clifford Avenue) project (Project).

Section 2. The Mayor is hereby authorized to enter into an agreement with T.Y. Lin International Engineering & Architecture, P.C. in the maximum amount of \$629,000 for engineering design and construction administration services for the Project. Said amount shall be funded in the amounts of \$215,000 from the County reimbursements appropriated in Section 1 hereof, \$329,000 in 2020-21 Cash Capital, and \$85,000 in 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 3. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-134  
Re: Agreement – C & S Engineers, Inc. –  
St. Bernard’s Trail Rehabilitation

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation establishing \$60,000 as maximum compensation for a professional service agreement with C&S Engineers, Inc. (John D. Trimble, C.E.O., 150 State Street, Rochester, New York) for design services for the St. Bernard’s Trail Rehabilitation project. The cost of the agreement will be financed from 2018-19 Cash Capital.

The project may include, but is not limited to, trail improvements and enhancements to the St. Bernard’s segment of the Genesee Riverway Trail. The existing trail requires repairs and modifications to provide a safe and accessible user experience. The consultant will provide cost estimating, State Environmental Quality Review (SEQR), and preliminary design.

C & S Engineers, Inc. was selected for design services through a request for proposal process, which is described in the attached summary.

Design will begin in spring 2022. The project will result in the creation and/or retention of the equivalent of 0.65 full-time jobs.

The term of the agreement shall continue for six months after completion and acceptance of preliminary design and SEQR determination.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AV-78

Ordinance No. 2022-134  
(Int. No. 165)

**Authorizing an agreement related to the St. Bernard’s Trail Rehabilitation 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 agreement with C&S Engineers, Inc. in the maximum amount of \$60,000 for design, cost estimates and SEQR review services related to the St. Bernard’s Trail Rehabilitation project (Project). Said amount shall be funded from 2018-19 Cash Capital. The term of the agreement shall continue for six months after completion and acceptance of preliminary design and SEQR determination.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-135  
Ordinance No. 2022-136  
Re: 2022 Annual Parking Garage Repair &  
Reconstruction Project and amend Ordinance  
2021-154

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 2022 Annual Parking Garage Repair & Reconstruction Project. This legislation will:

1. Authorize the issuance of bonds totaling \$211,000 and the appropriation of the proceeds thereof to finance the Stone Street Wing of the South Avenue Garage portion of the construction cost of the project; and,



2. Amend Ordinance 2021-154 to eliminate reference to a singular year (2021) and replace with the term “annual”.

The 2022 Annual Parking Garage Repair & Reconstruction Project will consist primarily of repairs and supplemental structural support within the South Avenue and Stone Street Wings of the South Avenue Garage for preserving the safety, structural integrity and service life of the garage. Construction work will include, but is not limited to, strategic repair and reconstruction of concrete decks, concrete beams and columns, supplemental post-tensioning systems, waterproofing, and expansion joints.

Bids for construction were received on April 7, 2022. The apparent low bid of \$2,433,220.40 was submitted by Crane-Hogan Structural System Inc. (Daniel Hogan, C.E.O., 3001 Brockport Road, Spencerport, NY).

The project was designed through the City’s Parking Garage Evaluation and Repair Program by T.Y. Lin International Engineering & Architecture, P.C. (T.Y. Lin) as authorized in July 2020 by Ordinance No. 2020-224. T.Y. Lin shall provide resident project representation (RPR) services for the project as authorized in May 2021 by Ordinance No. 2021-154.

Ordinance 2021-154 authorized a professional services agreement with T.Y. Lin Engineering & Architecture, P.C. to provide engineering services. The agreement has the option to extend the term for up to four periods of one year each and was intended to cover Annual Parking Garage Repair & Reconstruction projects in future years. This amendment will eliminate reference to the 2021 Parking Garage Repair & Reconstruction Project and change it to Annual Parking Garage Repair & Reconstruction Project. It will also clarify that the 2019-20 Cash Capital funded the initial term of the agreement.

The project will be funded as follows:

Source of Funds	Design	Construction	RPR	Contingency	Total
American Rescue Plan Act funds authorized Ordinance No. 2022-78	0	2,000,000.00	0	0	\$2,000,000.00
2020-21 Parking Cash Capital	350,000	232,441.40	300,000	250,000	\$1,132,441.40
Bonds authorized herein	0	200,779.00	0	10,221	\$211,000.00
<b>Total</b>	<b>\$350,000</b>	<b>\$2,433,220.40</b>	<b>\$300,000</b>	<b>\$260,221</b>	<b>\$ 3,343,441.40</b>

Construction is anticipated to begin in summer 2022 with completion in summer 2023. The project will result in the creation and/or retention of the equivalent of 36.34 full-time jobs.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AV-79

Ordinance No. 2022-135  
(Int. No. 166)

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$211,000 Bonds of said City to finance the 2022 Annual Parking Garage Repair & Reconstruction 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 2022 Annual Parking Garage Repair & Reconstruction Project, which consists of repairs and supplemental structural support to the South Avenue and Stone Street wings of the South Avenue Garage located at 36-70 South Avenue, including strategic repair and reconstruction of concrete decks, concrete beams and columns, supplemental post-tensioning systems, waterproofing, and expansion joints (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,343,441.40. The plan of financing includes the issuance of \$211,000 bonds of the City, which amount is hereby appropriated for the Project, \$1,132,441.40 in 2020-21 Cash Capital, \$2,000,000 in American Rescue Plan Act funds appropriated in Ordinance No. 2022-78, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$211,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$211,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or

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

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

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

(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. 2022-136  
(Int. No. 167)

**Amending Ordinance No. 2021-154 in relation to resident project representation services for Annual Parking Garage Evaluation & Repair projects**

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

Section 1. Ordinance No. 2021-154, authorizing an agreement for the 2021 Annual Parking Garage Evaluation & Repair Project, is hereby amended in the title and in Section 1 thereof as follows:

**Authorizing an agreement for ~~the 2021~~ Annual Parking Garage Evaluation & Repair Projects**

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 T.Y. Lin International Engineering & Architecture, P.C. to provide resident project representation services for the ~~2021~~ annual Parking Garage

Repair & Reconstruction Projects ~~(the Project)~~. The term of the agreement shall be 1 year, with options to extend the term for up to four periods of 1 year each. The maximum annual compensation for the agreement shall be \$300,000, which shall be funded from 2019-20 Cash Capital for the initial term. The compensation for subsequent optional extended term years, if any, shall be funded from the Cash Capital allocations of subsequent Budgets or a bond ordinance adopted and appropriated for said purpose, contingent upon their adoption.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-137

Re: Professional Services Term Agreements  
 -Environmental Site Assessment and  
 Remedial Services

Rochester 2034 Initiative Area: Sustaining Green  
 and Active Systems

Transmitted herewith for your approval is legislation authorizing professional services term agreements with the following companies for environmental assessment, investigation, and remedial services:

<b>Firm Name</b>	<b>Address</b>	<b>Principal/ Owner</b>
Barton & Loguidice, DPC	11 Centre Park, Suite 203, Rochester	John F. Brusa, Jr. P.E., President and CEO
Bergmann Associates, Architects, Engineers, Landscape Architects, & Surveyors, DPC	280 East Broad Street, Suite 200, Rochester	Kevin L. Haney, President and CEO
Day Environmental, Inc.	1563 Lyell Avenue, Rochester	David Day, President
Fisher Associates, PE, LS, DPC	180 Charlotte Street, Rochester	Roseann Schmid, P.E. Chief Executive Officer
LaBella Associates, DPC	300 State Street, Suite 201, Rochester	Steve Metzger, CEO
The LiRo Group	250 Mill Street, Rochester	Richard Cavallaro, CEO
Lu Engineers (MBE)	339 East Avenue, Rochester	Cletus Ezenwa, CEO
Stantec Inc.	61 Commercial Street, Rochester	Gord Johnston, CEO

The City routinely performs site assessments prior to acquiring commercial and industrial properties. Such assessments allow a prospective buyer to identify suspect environmental conditions, consider potential remediation costs during negotiations, plan for cleanup during redevelopment and avoid or limit liability for these costs.

Under the proposed agreements, the consultants will perform ESAs and additional environmental services including sampling and laboratory analysis of air, soil, wastes, groundwater and surface waters; subsurface soil, bedrock, and geotechnical investigations; environmental data analysis, modeling, survey, and GIS/GPS mapping; feasibility studies, analyses of remedial alternatives, and remedial cost estimating; and environmental planning, design, and implementation of remedial actions and pollution prevention/environmental sustainability measures.

The most recent agreements for these assessments were authorized by the City Council on May 15, 2018 (Ordinance No. 2018-133).

The Department of Environmental Services issued a request for proposals on February 28, 2022 for these services resulting in proposals from 12 consulting firms. Eight (8) of these firms are recommended for agreements.

When services are required, proposals from one or more of these companies will be requested. The selection of a specific firm will depend upon the type of environmental services that are required, its ability to meet the City's schedule, and the quality and cost of its proposal.

The number and types of projects will depend on the needs of the various departments that are requiring services. The cost of the project specific proposals will be based on the unit prices specified in each firm's agreement with the City.

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

Each of the agreements will have an initial term of two years with provisions for renewal for two additional one-year periods based on mutual written agreement.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AV-80

Ordinance No. 2022-137  
(Int. No. 168)

**Authorizing term agreements for environmental site assessment and remedial services**

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for such environmental assessment, investigation, and remedial services as may be required by the City:

**Company**

**Address**

Barton & Loguidice, DPC

Bergmann Associates, Architects, Engineers, Landscape  
Architects, & Surveyors, DPC  
Day Environmental, Inc.

Fisher Associates, PE, LS, DPC

LaBella Associates, DPC

The LiRo Group

Lu Engineers (MBE)

Stantec Inc.

11 Centre Park, Suite 203,  
Rochester

280 East Broad Street, Suite  
200, Rochester

1563 Lyell Avenue, Rochester

180 Charlotte Street, Rochester

300 State Street, Suite 201,  
Rochester

250 Mill Street, Rochester

339 East Avenue, Rochester

61 Commercial Street,  
Rochester

Section 2. The agreements shall be for a term of two years with an option to renew for up to 2 additional periods of one year each. The City shall pay specified unit prices in an amount not to exceed the amount budgeted for such services, which shall be funded from the annual Budget of the Department of Environmental Services, or of the other Departments using these services, or from capital funds appropriated for specific environmental, construction or redevelopment projects. If the agreements are renewed, the unit prices for the third and fourth years may be adjusted with the approval of the Department of Environmental Services.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2022-138  
Resolution No. 2022-26  
Grant Agreement – NYS EFC Green  
Innovation Grant Program – Water Meter  
Replacement

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 New York State Environmental Facilities Corporation (NYS EFC) Green Innovation Grant Program. This legislation will:

1. Authorize the Mayor to enter into an agreement with NYS EFC; and,
2. Authorize the receipt and use of \$335,000 in anticipated reimbursements from NYS EFC to finance a portion of the program; and,

3. Approve a resolution, in a form that is required by NYS EFC that will confirm the City's acceptance of the grant funds for the project as described in the grant application.

The City was authorized to apply for this grant through Ordinance No. 2021-242.

The funding provided by this grant will help support the City's water meter radio read conversion project. Under this project all water meters within the City's water distribution system are being replaced with water meters that have radio read technology. The Water Bureau has converted 74.5% of the water meters currently within the system with radio read capabilities. This technology makes the water reading process more efficient by allowing meter readers to collect reads without having to individually visit each property, as the reads are transmitted over the radio.

The total estimated cost of this project will be \$446,667. The local match of \$111,667 shall be funded from 2021-22 Cash Capital. The funds provided will be used to purchase water meters. The installation will be administered and carried out by Water Bureau staff. It is estimated that 2,977 meters will be purchased.

Work is anticipated to be begin summer of 2022 and be completed by fall of 2023. Project administration will be performed by Water Bureau staff.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2022-138  
(Int. No. 169)

**Authorizing agreement and funding for the Green Innovation Grant Program Water Meter Replacement project**

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

Section 1. The Mayor is hereby authorized to enter into a grant agreement with the New York State Environmental Facilities Corporation (NYS EFC) for Green Innovation Grant Program Water Meter Replacement project to replace approximately 2,977 current analogue water meters with radio read water meters (the Project).

Section 2. The Council hereby authorizes the receipt and appropriation of \$335,000 in anticipated reimbursements from the NYS EFC Green Innovation Grant Program to purchase radio read water meters for the Project.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2022-26

(Int. No. 170)

**Resolution affirming the appropriation of New York State Environmental Facilities Corporation funds and a City match for a Green Innovation Grant Program grant for the City of Rochester Water Meter Replacement project**

WHEREAS, the City of Rochester applied for financial assistance from the New York State Environmental Facilities Corporation Green Innovation Grant Program to fund a Water Meter Replacement project to replace approximately 2,977 current analogue water meters with radio read water meters (the Project); and

WHEREAS, the City of Rochester has reviewed the Project in accordance with the State Environmental Quality Review Act (SEQR) and determined that that it is a “Type II” action requiring no further environmental impact review because it constitutes a maintenance or repair involving no substantial changes in existing structures or facilities as categorized in the SEQR regulations at Title 6, Section 617.5(c)(1) of the New York Code of Rules and Regulations.

NOW, THEREFORE, BE IT:

RESOLVED, that the Mayor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents, and instruments necessary to bring about the Project and to fulfill the City of Rochester’s obligations under the Grant Agreement;

RESOLVED, that the Mayor of the City of Rochester is authorized to receive and appropriate \$335,000 in Green Innovation Grant Program (GIGP) funds for the Project; and

RESOLVED, that at least \$111,667 in City funds are appropriated for the Project as required to satisfy the minimum 25% local match required for GIGP funded projects, the source of that local match is 2021-22 Cash Capital Budget within the City’s approved 2021-22 Capital Improvement Program, and the Mayor may increase the local match for the Project through the use of in kind services without further approval from Council.

This Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1791  
Re: Local Improvement Ordinance –  
Downtown Enhancement District,  
2022-23 Budget

Council Priority: Creating and Sustaining a  
Culture of Vibrancy

Transmitted herewith for your approval is legislation approving the 2022-23 Budget of the Downtown Enhancement District (District) and authorizing the apportionment of the budget costs among the properties within the District.



The District, established in 1989, enters its 33<sup>rd</sup> year of providing an enhanced level of care and maintenance in the downtown area and plays a key role in the vitality of Downtown Rochester. These services may include sidewalk cleaning, sweeping, snow removal and litter removal, as well as installation, repair and maintenance of improvements such as benches, planters and street lighting.

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

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

The maximum permissible assessment for 2022-23 based upon the 33<sup>rd</sup> year cumulative increase in the CPI (102.4%) is \$844,400. The recommended assessment is \$703,700, an increase of 39,500 (5.95%).

<b>Category of Expense</b>	<b>2021-22</b>	<b>2022-23</b>	<b>Variance</b>
Personnel Total	\$645,200	\$645,800	\$600
Salary and Wages	\$444,600	\$448,100	\$3,500
Employee Benefits	\$200,600	\$197,700	\$2,900
Materials and Supplies	\$60,300	\$69,300	\$9,000
Contractual Services	\$18,700	\$19,200	\$500
Less: Operating Revenues	-\$55,000	-\$30,000	(\$25,000)
Less: Delinquent Tax Collected	-\$5,000	-\$600	(\$4,400)
Net Expenses	\$664,200	\$703,700	\$39,500
Less: Use of Fund Balance	\$0	\$0	\$0
Required Assessment	\$664,200	\$703,700	\$39,500

The proposed budget was approved by the Downtown Enhancement District Advisory Board on April 18, 2022 by a vote of 4-0.

A public hearing on the district assessment is required.

Respectfully submitted,  
 Malik D. Evans  
 Mayor

Attachment No. AV-81

Local Improvement Ordinance No. 1791  
(Int. No. 171)

**Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District for 2022-23**

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

Section 1. The cost of the special work and services for the 2022-23 fiscal year for the Downtown Enhancement District to be allocated and levied in accordance with Local Improvement Ordinance No. 1291, as continued by Local Improvement Ordinances No. 1355, 1441, 1531, 1597, 1686, 1705, 1730, and 1756, is established at \$703,700. Such amount, or so much thereof as may be necessary, is hereby appropriated to fund the Downtown Enhancement District for the 2022-23 fiscal year.

Section 2. This ordinance shall take effect on July 1, 2022.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Local Improvement Ordinance No. 1792  
Re: Local Improvement Ordinance –  
Streetscapes

Council Priority: Creating and Sustaining a  
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing the care and embellishment of streetscapes during 2022-23 and the assessment of the associated costs of \$30,000 among the benefitted properties. Each district budget is prepared based on actual costs from the previous year and planned maintenance and improvements. Budget items may include: plants (ranging from annual flowering plants to trees and shrubs), mulch, water, grass seed, irrigation, repair or replacement of decorative signage and spring and fall cleanup. Budgets are reviewed at a neighborhood meeting. Meeting notices are sent by the City to the owners of all affected properties.

The associated budgets are summarized below:

Streetscape District	2021-22 Levy	Proposed Budget 2022-23	Proposed Levy 2022-23	Variance	Reason
Cascade Historic	\$8,000	\$10,000	\$10,000	\$2,000	Repairs
Norton Street Urban Renewal District	\$2,815	\$2,815	\$0	-\$2,815	Utilizing prior year funds

Mt. Hope	\$30,000	\$30,000	\$20,000	-\$10,000	Utilizing prior years funds
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The costs of the maintenance are apportioned among the benefitted properties on the basis of the specified unit charges for each area. Charges are included on the annual tax bill and are payable in July. A public hearing on the assessments for all the districts is required.

Respectfully submitted,  
Malik D. Evans  
Mayor

Local Improvement Ordinance No. 1792  
(Int. No. 172)

**Local Improvement Ordinance – establishing the operating and maintenance costs of special assessments for streetscape enhancements for 2022-23**

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefitted properties in accordance with the applicable local improvement ordinances for the operation and maintenance of special assessment districts for streetscape enhancements during the 2022-23 fiscal year:

<b>Streetscape District</b>	<b>New Amount</b>	<b>LIO</b>
Cascade Historic	\$10,000	1430/1729
Norton Street	\$0	1421/1766
Urban Renewal		
Mt. Hope	\$20,000	1652

Section 2. This ordinance shall take effect July 1, 2022.

Passed unanimously.

By President Meléndez  
May 10, 2022

To the Council:

The **PUBLIC SAFETY COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 113 Authorizing an agreement for bail credit card services, **as amended**

Int. No. 183 Appropriating American Rescue Plan Act funds for the Rochester Peace Collective

The **PUBLIC SAFETY COMMITTEE** recommends the following entitled legislation to be **HELD** in Committee:

Int. No. 173      Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,300,000 Bonds of said City to finance the acquisition of thirty police patrol vehicles

Respectfully submitted,  
Miguel A. Meléndez, Jr.  
Mitch Gruber  
LaShay D. Harris  
Willie Lightfoot  
Stanley Martin  
Michael Patterson  
Jose Peo  
Kim Smith (*Absent*)  
Mary Lupien  
PUBLIC SAFETY, RECREATION & HUMAN SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-139  
Re: Agreement – AllPaid, Inc., Bail Credit  
Card Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with AllPaid, Inc. dba GovPayNet (Principal: Jon Secrest), Indianapolis, IN, for the processing of credit card payments for bail posted for individuals in police custody. There is no cost to the City for this service. The term of this agreement will be for one year with the option to renew for up to three additional one-year periods.

The Rochester Police Department has been using GovPayNet for bail transactions since 2014. Using GovPayNet is common in New York State; 59 of the 62 County Sheriff Departments, including Monroe County, use them for credit card services for bail. Through this agreement, GovPayNet will:

- Provide credit card services for bail transactions, equipment, and training with no charge to the City.
- Charge the cardholder a 7% fee for all transactions. This fee is assessed on the bail amount, and is added to the overall transaction cost.
- Provide the State bail fund with bail funds collected. GovPayNet is then responsible for collecting the funds from the cardholder.
- Assume the risk for fraud, collection, default, and the return of funds.

This payment and pricing model is the industry standard, and addresses the risks associated with bail transactions. RPD's goal is to reduce the risks associated with handling cash while enhancing opportunities for people to make bail payments. A no cost option of accepting cash payments will still be available.

A justification for not issuing an RFP is attached.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AV-82

Ordinance No. 2022-139  
(Int. No. 113)

**Authorizing an agreement for bail credit card services, as amended**

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 AllPaid, Inc. for processing of bail payments using a credit card. The term of the agreement shall be one year with the option to renew for up to three additional one-year extensions.

Section 2. The company shall be entitled to charge credit card holders a transaction fee of up to ~~7.5~~5%. There shall be no cost to the City for this service.

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

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-140  
Re: ARPA Appropriation, Rochester Peace  
Collective

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to appropriate the receipt and use of \$5,000,000 from the American Rescue Plan Act (ARPA) for the Rochester Peace Collective. These

funds will be anticipated and included in the 2022-23 Budget of the Mayor's Office and specific use of the funds will be outlined in future Council items.

The rise of violence across the country has been alarming and demands bold action. The pandemic has exacerbated this violence and we have seen this in the firearm crimes across our community. The federal ARPA award was meant to help with recovery from COVID. Investing in violence prevention programs gives us the opportunity to stem the violence seen in our community, and invest in programs that produce results. As of April 1st the city of Rochester has seen 16 homicides and 61 individuals who have suffered gunshot wounds.

The Special Advisor to the Mayor on Violence Prevention Programs will launch a "Rochester Peace Collective" to coordinate organizations that can work collaboratively to prevent violence. These organizations will have the opportunity to apply for ARPA funds, and these efforts will function in close alignment with City Departments including the Mayor's Office, Department of Recreation and Human Services and the Library.

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 is an eligible use of ARPA funding per the following Treasury Final Rule Guidelines expenditure category 1.11-Community Violence Interventions.

Respectfully submitted,  
Malik D. Evans  
Mayor

Miguel A. Meléndez  
City Council President

Ordinance No. 2022-140  
(Int. No. 183)

### **Appropriating American Rescue Plan Act funds for the Rochester Peace Collective**

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

Section 1. The Council hereby appropriates the sum of \$5,000,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 to fund the Rochester Peace Collective violence prevention initiative.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

President Meléndez introduced a motion to discharge Introductory No. 173, Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,300,000 Bonds of said City to finance the acquisition of thirty police patrol vehicles. Moved by Councilmember Patterson; 2<sup>nd</sup> by Councilmember Peo.

Motion to discharge passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Patterson, Peo – 6.

Nays – Vice President Lupien, Councilmembers Martin, Smith – 3.

President Meléndez introduced a motion to amend Introductory No. 173 to allow 5 of the 30 vehicles to be hybrid vehicles. The motion received no 2<sup>nd</sup>.

Vice President Lupien moved to amend Introductory No. 173 to allow for the immediate purchase of 25 vehicles, with a commitment from the Administration to purchase 5 hybrid vehicles in the future; 2<sup>nd</sup> by Councilmember Martin.

Motion to amend Introductory No. 173 failed by the following vote:

Ayes – President Meléndez, Vice President Lupien – 2.

Nays – Councilmembers Gruber, Harris, Lightfoot, Martin, Patterson, Peo, Smith – 7.

President Meléndez moved to table Introductory No. 173; 2<sup>nd</sup> by Vice President Lupien.

Motion to table Introductory No. 173 failed by the following vote:

Ayes – Vice President Lupien, Councilmembers Gruber, Martin, Smith – 4.

Nays – President Meléndez, Councilmembers Harris, Lightfoot, Patterson, Peo – 5.

#### TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-141  
Re: Bond Authorization for the Purchase  
of Police Vehicles

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the issuance of \$1,300,000 in bonds to finance the purchase of 30 new marked Dodge Charger patrol vehicles to update the Police Department's fleet. The approximate unit price including equipment is \$43,333.

RPD has 41 vehicles that have over 100,000 miles, 137 vehicles that are more than 5 years old, and 81 vehicles that exceed an 80% threshold of life to date repairs/maintenance versus acquisition cost. As a result, given the number of miles that patrol officers' log each year, and the wear and tear that those miles put on the patrol vehicle, the regular replacement of a certain number of vehicles each year is recommended to minimize long term costs of the vehicle's operation.

Respectfully submitted,  
Malik D. Evans  
Mayor

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,300,000 Bonds of said City to finance the acquisition of thirty police patrol vehicles**

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 purchasing and equipping thirty (30) new Dodge Charger patrol vehicles for the Rochester Police Department. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,300,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,300,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,300,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,300,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 29. of the Law, is five (5) 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 by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Patterson, Peo – 7.

Nays – Councilmembers Martin, Smith – 2.

By Councilmember Harris  
May 10, 2022

To the Council:

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

Int. No. 175     Authorizing an agreement relating to a tag engraving kiosk for Rochester Animal Services

Int. No. 176     Authorizing a professional service agreement relating to the Rochester Animal Services Master Plan

Int. No. 177     Authorizing an amendatory professional services agreement for the design and installation of murals at the Roc City Skate Park

Respectfully submitted,  
LaShay D. Harris  
Willie J. Lightfoot  
Stanley Martin  
Mary Lupien

Miguel A. Meléndez Jr  
**RECREATION & HUMAN SERVICES COMMITTEE**

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-142  
Re: Agreement – The Hillman Group, Inc.,  
Animal Tag Kiosk

Council Priority: Creating & Sustaining a  
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with the Hillman Group, Inc. (Doug Cahill, CEO, 10590 Hamilton Ave., Cincinnati, OH 45231) to install, maintain, and operate a self-service Quick-Tag engraving kiosk at the City's Animal Services Center. The term of the agreement will be for one year with option to renew for three additional one-year periods upon mutual agreement between the City and Hillman. There is no cost to the City for this agreement. The consultant will pay the City a commission of 25% of net revenue from the kiosk. The current machine is being replaced with an update version as the existing model is obsolete and no longer supported.

This tag engraving kiosk will be used to continue providing identification tags to all clients who adopt or reclaim a pet from the Animal Services Center. Ensuring that all pets have identification is an essential component in reuniting lost pets with owners, keeping people and pets together and out of the shelter.

The City has maintained a similar agreement with Hillman since 2017. Council Authorization was not previously required because the term of the agreement was for one year.

A justification for No RFP is attached.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AV-83  
Ordinance No. 2022-142  
(Int. No. 175)

**Authorizing an agreement relating to a tag engraving kiosk for Rochester Animal Services**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Hillman Group, Inc. to install, maintain, and operate a self-service Quick-Tag engraving kiosk at the City's Animal Services Center. The term of the agreement shall extend for one year with the option to extend for three additional one-year periods.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

## TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-143  
Re: Agreement – Kideney Architects, P.C. –  
Rochester Animal Services Master Plan  
and Conceptual Design Services

Council Priority: Creating & Sustaining a  
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing maximum total compensation of \$49,525 for an agreement with Kideney Architects, P.C. (Anthony Gorski, Principal, 143 Genesee Street, Buffalo, NY 14203) to develop a Rochester Animal Services Master Plan and provide Conceptual Design Services. The Plan will guide renovation and construction projects at the Animal Services Facility over the next five years. The Plan will include two main components:

- A. A master plan that looks at facility, building systems, capital needs, proposed renovations or construction of a new facility and explores how best to serve the organization's programming needs, meet or exceed best practice recommendations, and best serve community needs; and
- B. Evaluation of options for addressing areas in programming where the facility does not meet the organization's needs.

The term of the agreement will be 18 months and it will be funded by the 2021-22 Budget of Undistributed Expenses.

The most recent Animal Services Center facility assessment and design study was completed in 2019. Since then, there have been significant changes in Animal Services programming and in animal shelter design, which warrants the need for an updated study in order to create the master plan.

The Kideney Architects Animal Arts team was selected through a request for proposals process described in the attached summary.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AV-84

Ordinance No. 2022-143  
(Int. No. 176)

**Authorizing a professional service agreement relating to the Rochester Animal Services Master Plan**

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 service agreement with Kidney Architects, P.C. for the development of a Rochester Animal Services Master Plan and to provide conceptual design services. The maximum compensation for the agreement shall be \$49,525. The term of the agreement shall extend for eighteen months, and shall be funded by the 2021-22 Budget of Undistributed Expenses.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2022-144  
Re: Amendatory Agreement: The Synthesis  
Collaborative, Inc. Mural Arts

Council Priority: Creating & Sustaining a  
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending the existing contract with The Synthesis Collaborative, Inc. (Ian Wilson, Rochester, NY) for the design and installation of murals at the Roc City Skatepark. The original agreement as written expires on June 5, 2022 (Ordinance No. 2021-161). If approved, the amendment will extend the contract through the end of the calendar year. There are no additional funds associated with the extension of this agreement. Given that the mural project is a large, outdoor art installation, this extension will provide a buffer in case of unpredictable weather delays.

The Synthesis Collaborative, best known locally for their mural arts project Wall/Therapy, is a mural arts and community intervention program that uses public murals as a means to transform the urban landscape, inspire City residents, and build community. Under this agreement, The Synthesis Collaborative will work with professional artists to plan, design, and install several large scale murals project at the Roc City Skatepark. As part of the mural process, artists from The Synthesis Collaborative will mentor youth artists from the City's Roc Paint Division mural arts program. Youth artists will shadow the professional artists, and will assist with mural design and installation wherever possible.

The Synthesis Collaborative has a proven track record of excellence in the arena of public art, and has proven to be an innovative and reliable partner on several of the City's previous public arts initiatives. The Synthesis Collaborative was selected for these services based on their expertise, community connections, and experience working on large scale mural projects in the City of Rochester.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2022-144  
(Int. No. 177)

**Authorizing an amendatory professional services agreement for the design and installation of murals at the Roc City Skate Park**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with The Synthesis Collaborative Incorporated, for the design and installation of murals at the Roc City Skatepark (Project). The term of the original agreement authorized in Ordinance No. 2021-161 is hereby amended to extend through December 31, 2022.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:47 p.m.

HAZEL L. WASHINGTON  
City Clerk