

ROCHESTER CITY COUNCIL

REGULAR MEETING

September 20, 2022

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 Gruber

Retirement:

DES:

Joseph Borrelli
Charles Curry
Gwen Dade
Deborah Green
Dennis Spencer

LIBRARY

David LaCrosse

RFD

Jeffrey Krywy
John Vagg

RPD:

Anthony Belliard

APPROVAL OF THE MINUTES

By Councilmember Harris

RESOLVED, that the minutes of the Regular Meeting on August 16, 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 Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges

July – September 2022

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

The Council submits Disclosure of Interest Forms from **Vice President Lupien** and **Councilmember Harris** on Int. No. 339.

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, a public hearing was held on September 15, 22 on the following matters:

Amending the Official Map by abandoning the Guerney Street right-of-way Int. No. 263

No speakers

Amending the Official Map by abandoning the Holly Avenue right-of-way Int. No. 264

No speakers

Amending the Zoning Code and the Business Permits Code to allow and regulate Adult-Use Dispensaries and Adult-Use Consumption Lounges in some zoning districts in accordance with the State Cannabis Law Int. No. 322

No speakers

Authorizing an application and grant agreement for Restore NY Communities Initiative - Round 6 Int. No. 349

No speakers

Resolution endorsing Monroe County application for Restore NY Communities Initiative - Round 6 grant to support the Tent City Revitalization Project Int. No. 350

No speakers

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

By Councilmember Gruber
September 20, 2022

To the Council:

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

Int. No. 323 Authorizing an agreement with CypherWorx, Inc. for online employee training

- Int. No. 324 Authorizing an agreement providing City internships to SUNY Brockport students
- Int. No. 325 Authorizing an agreement relating to the Racial and Structural Equity (RASE) Commission's recommendations
- Int. No. 326 Authorizing an amendatory agreement for conflict counsel services
- Int. No. 327 Authorizing an amendatory agreement for expert witness services for the Law Department
- Int. No. 328 Amending Ordinance No. 2022-172 relating the Peacemaker Fellowship program
- Int. No. 348 Resolution authorizing the waiver of Civil Service Examination fees
- Int. No. 351 Appropriation from the Insurance Reserve Fund
- Int. No. 353 Establishing an Opioid Compensation Fund
- Int. No. 355 Establishing death benefits for beneficiaries of certain police officers and firefighters
- Int. No. 356 Amending the 2021-22 Budget for year-end Budget amendments

Respectfully submitted,
 Mitch Gruber
 Michael A. Patterson
 Kimberly Smith
 Mary Lupien
 Miguel Meléndez

FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-259
 Re: Agreement – CypherWorx, Inc. Online
 Employee Training

Council Priority: Support the Creation of
 Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:
 Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$134,306 as maximum compensation for an agreement with CypherWorx, Inc. (Paul Cypher, Chief Executive Officer) headquartered at 343 State Street, Rochester, NY, to provide an online training platform for all City of Rochester, NY employees. The term of this agreement will be for three years, with an option for one three - year renewal, and will be funded from the 2022-23 (\$44,736), 2023-24 (\$44,736) and 2024–25 (\$44,834) Budgets for Undistributed Expenses, contingent upon approval.

CypherWorx, Inc. has provided this service for City employees since 2019, which was approved by Ordinance No. 2019-47 and later amended by Ordinance No. 2020-285, 2022-71, and 2022- 296, and was selected for this contract through a request for proposal process described in the attached summary.

CypherWorx, Inc. provides a hands-on interactive training platform, in English and Spanish, for City employee training programs to include the topics of Diversity/Inclusion, Sexual Harassment, Workplace Harassment, Workplace Violence, Unconscious/Implicit Bias, and Ethics in Government. Additionally, this agreement will provide the City full access to CypherWorx, Inc. catalog/suite of Professional Development Training, Safety, OSHA, and other trainings at no additional cost.

This platform tracks, records, and documents the trainings, and provides progress and verification reports to supervisors regarding their employees' completion of the trainings. This training platform is completely supported and managed by CypherWorx, Inc. and as a result, will require no internal IT resources. In addition, this interactive training platform will ensure the City's compliance with several Federal and State mandated employee trainings.

CypherWorx, Inc. was selected for these services because of their ability to provide employee trainings on cloud-based software-as-a-service (SAAS) platform that makes them available over the internet and their extensive catalog of training programs which will allow for future growth of online learning opportunities for City employees.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-147

Ordinance No. 2022-259
(Int. No. 323)

Authorizing an agreement with CypherWorx, Inc. for online employee training

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 CypherWorx, Inc. in the maximum amount of \$134,306 to provide an online training platform for City employees. The term of the agreement shall be three years with the option to extend for one additional period of three years. The agreement shall be funded in the amount of \$44,736 from the 2022-23 Budget of Undistributed Expenses (Undistributed), \$44,736 from the 2023-24 Budget of Undistributed and \$44,834 from the 2024-25 Budget of Undistributed, contingent upon approval of the two latter budgets.

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. 2022-260
Re: Agreement – SUNY Brockport

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation authorizing an agreement with the State University of New York at Brockport (Dr. Heidi Macpherson, President, Brockport, NY) to support up to five SUNY students working as interns at the City of Rochester. The cost of this agreement is not to exceed \$6,000 annually and will be funded from the 2022-23 Budget of the Office of the Mayor. The term will be for one year with two optional one-year renewals.

Students at SUNY Brockport who are awarded Federal Work-Study aid may participate in a Community Service Work-Study (CSWSP) program. Under this program students must work in a non-profit institution, government agency or school. The CSWSP covers 75% of the student's wages, while the agency pays the remaining 25%. Students from Brockport could be placed in any department within the City, and may work up to 20 hours per week while class is in session and up to 40 weeks during school breaks, earning up to a maximum of \$4,500 per year. SUNY Brockport will pay the students for hours worked and the City of Rochester will reimburse SUNY Brockport for 25% of the expense, or up to \$1,125 for the full academic year for each student.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-260
(Int. No. 324)

Authorizing an agreement providing City internships to SUNY Brockport students

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 College at Brockport, State University of New York (SUNY Brockport) to engage up to five SUNY Brockport students as interns working for the City of Rochester. The term of the agreement shall be one year, with the option to extend for up to two additional 1-year periods. The compensation for each intern shall be paid by SUNY Brockport through the federal Community Service Work-Study Program and the City shall reimburse SUNY Brockport for 25% of each intern's compensation up to an annual limit of \$1,125. The City's total internship reimbursements in an annual amount not exceeding \$6,000 shall be funded from the 2022-23 Budget of the Office of the Mayor for the initial term, and from a future year's Budget of the Office of the Mayor for each extended term, contingent upon approval of said future budget.

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. 2022-261
Re: Agreement – Urban League of
Rochester for oversight of RASE
Report recommendations

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with the Urban League of Rochester, N.Y., Inc. (Dr. Seanelle Hawkins, President and CEO, Rochester, NY) to oversee community implementation of the Commission on Racial and Structural Equity (RASE) report recommendations. The term of this agreement is for one year, with two optional one-year renewals. Year one will be funded from the 2022-23 Budget of the Office of the Mayor, with renewal years funded from future year's budgets of the Office of the Mayor, contingent upon approval.

The RASE recommendations are very broad in scope. They include items that fall under the jurisdiction of the City, the County, the School District and the community-at-large. Mayor Evans and County Executive Bello agree that the Urban League of Rochester is the appropriate entity to lead the RASE initiative with a collaborative, community-wide perspective. As a result of their natural role in providing community leadership, the Urban League has participated in monthly meetings on the RASE initiative with the City, County, and RCSD, and will continue to serve as the voice of the community going forward.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-148

Ordinance No. 2022-261
(Int. No. 325)

Authorizing an agreement relating to the Racial and Structural Equity (RASE) Commission's recommendations

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with the Urban League of Rochester, N.Y., Inc. to oversee community implementation of the recommendations set forth in the RASE Commission's report. The agreement shall have a term of one year, with the option to extend by up to two additional periods of 1 year each. The maximum annual compensation shall be \$50,000, which shall be funded from the 2022-23 Budget of Office of the Mayor for the initial term and from a future year's Budget of the Office of the Mayor, for each optional 1-year extension, contingent upon approval of the future year's budget.

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. 2022-262
Re: Outside Conflict Counsel Services:
Amending professional services
agreement

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

The legislation authorizes the Mayor to amend the existing agreement authorized in Ordinance No. 2022-123 to increase the maximum compensation by \$50,000 to a new total of \$75,000. The additional compensation will be funded from the 2022-23 Budget of Undistributed Expenses.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-262
(Int. No. 326)

Authorizing an amendatory agreement for conflict counsel services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Law Offices of Pullano & Farrow PLLC to continue providing legal services as conflict counsel for any matter or proceeding in which the Law Department has a conflict of interest. The original agreement authorized by Ordinance No. 2022-123 is hereby authorized to be amended to increase the maximum compensation by \$50,000 to a new total of \$75,000. The amendatory compensation shall be funded from the 2022-23 Budget of Undistributed Expenses.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-263
Re: Agreement Amendment - Expert
Witness Services

Transmitted herewith for your approval is legislation authorizing an amendatory professional services agreement with Legal Med, LLC (Manager, Gabrielle Kotas) to provide expert witness services necessary to defend the City in lawsuits involving personal injury claims. The original agreement was authorized in April 2018 (Ordinance No. 2018-82) at a maximum fee of \$30,000. Thereafter, the agreement was amended in January 2019 (Ordinance 2019-2), to increase the fee by \$40,000, to an amended total of \$70,000. The City now seeks to increase the fee by an additional \$40,000. The fee shall be paid out of the Law Department's 2022-2023 budget.

This amendatory agreement will allow the Law Department to continue to obtain the services of expert physicians to review treatment and therapy records and to examine and report on the physical and psychological condition of personal injury plaintiffs. The Law Department has used the services of Legal Med since 2016, and Legal Med has consistently provided highly credentialed, practicing physicians in the relevant medical disciplines, including an orthopedic surgery, neurology and psychology, who also excel at explaining the facts on the witness stand.

The Law Department anticipates that it may require up to an additional \$40,000 for the experts' services for pending lawsuits if they proceed through to trials and verdicts. The term of the amendatory agreement may extend until completion of those lawsuits.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-263
(Int. No. 327)

Authorizing an amendatory agreement for expert witness services for the Law Department

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Legal Med, LLC to provide additional expert witness services for the Law Department. The amendment shall increase the maximum compensation of the existing agreement, which was authorized by Ordinance No. 2018-82 and amended by Ordinance No. 2019-2, by \$40,000 to a total amount of \$110,000. The amendatory compensation shall be funded from the 2022-23 Budget of the Law Department.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously:

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-264
Re: Agreement – National Institute for
Criminal Justice Reform

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending an agreement with the National Institute for Criminal Justice Reform (David Muhammad, Executive Director, Oakland, CA) (NICJR) that was approved in June by Ordinance No. 2022-172 to provide training and a study to support the City's Peacemaker Fellowship Program. In June, we proposed \$59,000 to be the maximum compensation for that agreement, but the ordinance set the figure at \$39,000 due to a typographical error. This legislation corrects that error.

In all other respects, the terms of the agreement authorized in June will remain the same, including the scope of services to be provided by NICJR, the one-year term and the budget source of the compensation. Correcting the funding error will provide the \$20,000 in funding necessary for NICJR to conduct a cost of gun violence study. This study will break down the specific governmental costs associated with each injury shooting and gun homicide, including crime scene response, hospital and rehab costs, criminal justice, incarceration, victim support, and lost tax revenue.

The funding source for this NICJR agreement is an appropriation of American Rescue Plan Act (ARPA) funds approved in Ordinance No. 2021-334. This Peacemaker Fellowship Program is an eligible use of those funds, as set forth in the Treasury Final Rule Guidelines for ARPA Fiscal Recovery expenditures under Category No. 1.11 for Community Violence Interventions.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-264
(Int. No. 328)

Amending Ordinance No. 2022-172 relating the Peacemaker Fellowship program

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

Section 1. Section 1 of Ordinance No. 2022-172, Authorizing an agreement for the Peacemaker Fellowship program, is hereby amended to read as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with The National Institute for Criminal Justice Reform to: (a) train the City's Peacemaker Fellowship staff in skills, concepts and methods useful for intervening with at-risk youth and young adults to prevent violence; and (b) conduct a comprehensive study of the governmental costs of gun violence in the Rochester community. The agreement shall have a term of one year. The maximum compensation for the agreement shall be ~~\$39,000~~ \$59,000, which shall be funded from the 2022-23 Budget of the Office of the Mayor, ~~contingent upon approval~~.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2022-42
Re: Resolution for the Waiving of Civil
Service Examination Fees

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation adopting a resolution to waive all Civil Service examination fees, effective July 1, 2022, for a period of thirteen months. This resolution was approved by the Civil Service Commission for the City of Rochester, by a 3-0-0 vote, at their meeting on August 25, 2022. During this thirteen-month period, the Commission will review data collected by the City Department of Human Resource Management to determine if the waiver is achieving the desired outcomes and if so, will seek to renew it at that time.

The recommendation to waive Civil Service Examination fees was included in a report issued by the Commission on Racial and Structural Equity (RASE). This RASE recommendation was for both the City of Rochester and County of Monroe to eliminate civil service fees for all open competitive civil service examinations, in order to eliminate barriers to employment for marginalized communities.

For any waiver to go into effect, the City Council must approve a Civil Service Commission resolution, or alternatively, the New York State Commission may approve a rule adopted by the Civil Service Commission. In the interest of faster approval and implementation, the Commission opted for a resolution, and subsequent submission to the City Council for their approval.

Respectfully submitted,
Malik D. Evans
Mayor

Resolution No. 2022-42
(Int. No. 348)

Resolution authorizing the waiver of Civil Service Examination fees

WHEREAS, New York State Civil Service Law Section 50 authorizes municipal civil service commissions, subject to the approval of the municipal legislature, to establish, waive, or abolish fees for civil service examinations, and

WHEREAS, Chapter 14-11 of the Municipal Code of the City of Rochester authorizes the City of Rochester Municipal Civil Service Commission to adopt rules and regulations to provide for waivers of examination fees where such waiver is deemed to be in the best interest of the City, and

WHEREAS, the Mayor of the City of Rochester and the County Executive of the County of Monroe created a Commission on Racial and Structural Equity (RASE Commission) to assess laws and policies that promote or eliminate institutional and structural biases, racism, or inequities, and to recommend changes to address such issues, and

WHEREAS, the RASE Commission recommended that the City of Rochester and the County of Monroe eliminate civil service examination fees for all open-competitive civil service examinations in order to eliminate barriers to employment for marginalized communities, and

WHEREAS, the City of Rochester Municipal Civil Service Commission, on August 25, 2022, adopted Resolution No. 2022-08-23, to waive civil service examination fees for a period of thirteen months beginning on July 1, 2022, and to evaluate the effects of such policy and whether to renew it, and

WHEREAS, pursuant to Section 50 of the New York State Civil Service Law, such waiver is subject to the approval of the governing board or body of the City

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

Section 1. Pursuant to Section 14-11 of the City Code, the City Council hereby authorizes the Mayor and the City of Rochester Municipal Civil Service Commission to waive civil service examination fees for all open-competitive civil service examinations for a period of thirteen months beginning on July 1, 2022.

Section 2. The Council finds and declares that it is in the public interest to waive such civil service examination fees as authorized in Section 1 herein as recommended by the RASE Commission, in order to eliminate barriers to employment for marginalized communities.

Section 3. The Director of the Department of Human Resources Management shall take all actions necessary to analyze the impact of such waiver in order to determine whether marginalized communities apply and take civil service examinations in greater numbers, and for which examinations.

Section 4. The Director of the Department of Human Resources Management shall take all necessary action to reimburse civil service examination applicants who paid civil service examination fees from July 1, 2022 until the effective date of this resolution.

Section 5. This resolution shall take effect on July 1, 2022.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-265
Re: Appropriation - Insurance Reserve
Fund

Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation appropriating \$4 million from the Insurance Reserve Fund to finance the payment of general liability claims.

The City is self-insured against all general liability, auto and personal claims, for which purpose the Insurance Reserve Fund is maintained. All claims are paid from this fund.

The monies maintained as reserves are invested until needed for disbursement. The interest earned on these investments is added to the fund balance. Interest income for fiscal year 2021-22 was \$22,424.

As of June 30, 2022 the fund balance was \$21,218,572, of that amount \$8,500,016 is appropriated for disbursement. Under the proposed legislation, \$4 million will be appropriated for the payment of claims.

The most recent appropriation was for \$7 million and was approved by City Council in February 2022.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-265
(Int. No. 351)

Appropriation from the Insurance Reserve Fund

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

Section 1. There is hereby appropriated from the Insurance Reserve fund the sum of \$4 million, or so much thereof as may be necessary, to finance the payment of general liabilities and claims against the City.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-266
Re: Opioid Compensation Fund

Council Priority: Public Safety and
Financial Stability

Transmitted herewith for your approval is legislation establishing a special Opioid Compensation Fund to collect and properly allocate funds that are awarded to the City to respond to the ongoing epidemic of opioid addictions and overdoses.

In accordance with Ordinance No. 2019-46, the City retained outside counsel to commence civil litigation against opioid manufacturers, distributors and others who have promoted the abuse of opioids. The purpose of this litigation has been to recover damages for costs already incurred and to fund the ongoing expenditures necessary to respond to the opioid epidemic.

To date the City has received \$78,920.42 in compensation from the litigation and expects to receive additional payments in the amount of \$311,997.62 (comprising \$117,328.36 resulting from the settlement with Endo, and \$194,669.27 resulting from a settlement with Allergan). Additional future payments are expected.

The Opioid Compensation Fund is intended to collect and properly allocate those funds. It will consist of two accounts, one restricted and the other unrestricted. The Restricted Account will collect compensation which is restricted to certain Approved Uses that are set forth in the terms of a settlement agreement or court order. The Unrestricted Account will take in opioid compensation that is not restricted to any specified Approved Uses, but will nevertheless be allocated to funding the City's past and ongoing expenses arising from the opioid epidemic.

The Finance Director will report on the use of all funds spent. Reporting requirements will include a detailed accounting of how the funds were spent; an evaluation of the programs and projects; and a certification that all Direct Restricted Account funds were spent on projects and programs that constitute Approved Uses.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-266
(Int. No. 353)

Establishing an Opioid Compensation Fund

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

Section 1. Chapter 8 of the Municipal Code, Department of Finance, as amended, is hereby further amended by adding § 8.5 as follows:

§ 8.5 Opioid Compensation Fund.

A. As used herein, the following terms shall have the following meanings:

OPIOID COMPENSATION

Funds granted to the City pursuant to the settlement of or verdict or judgment in an Opioid Litigation.

OPIOID LITIGATION

Any action or claim brought by the City, the County of Monroe, or the New York State Attorney General against manufacturers, distributors, or pharmacies that have sold or distributed opioids in the City of Rochester and alleging that such manufacturers distributors', or pharmacies' conduct constitute or have constituted a public nuisance or other tort.

B. A special revenue fund, the Opioid Compensation Fund, is hereby established for the deposit of all Opioid Compensation collected by the City. The Opioid Compensation Fund shall consist of two accounts:

1. The Restricted Account, for Opioid Compensation that is restricted to certain approved uses set forth in the terms of the settlement, verdict, award determination or other document authorizing the payment of Opioid Compensation. Such approved uses may include, but are not limited to, programs and activities for preventing and treating opioid use disorder, for the care and recovery of those who suffer from opioid use disorder, and for the support and education of first responders, health care providers, and family members who care for them. The Director of Finance shall keep a record of the use restrictions for each payment of Opioid Compensation into the Restricted Account.

2. The Unrestricted Account, for Opioid Compensation that is not restricted to specific uses.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-267

Re: Adoption of Death Benefit

Council Priority: Public Safety

Transmitted herewith for your approval is legislation adopting the provisions of General Municipal Law (GML) § 208-b, which allows a City with a population of less than one million to provide a death benefit upon the death of a regular member of a police department or fire department, where the death is the natural and proximate result of injuries sustained in the performance of duty and where the death is not caused by the decedent's willful negligence. The benefit to be paid consists of (1) the salary of the decedent in the year preceding the death or the year preceding the infliction of the injuries resulting in the death, whichever is greater, and (2) one thousand dollars, or ten percent of the decedent's final salary, whichever is greater, payable to each child of the decedent who is under the age of eighteen at the time of the death.

A copy of GML § 208-b is provided herewith, which sets forth the full benefits available and the process and timeframe within which to claim the death benefit.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-149

Ordinance No. 2022-267
(Int. No. 355)

Establishing death benefits for beneficiaries of certain police officers and firefighters

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

Section 1. Chapter 19 of the Municipal Code, Public Safety, is hereby amended by adding §19-1, which shall read as follows:

§ 19-1. Death benefits for beneficiaries of certain police officers and firefighters.

Notwithstanding any other provision of law, and in addition to any benefits otherwise provided, the City of Rochester hereby adopts the death benefit, authorized by General Municipal Law (GML) § 208-b, which shall be payable by the City of Rochester upon the death of a regular member of the Rochester Police Department or of the Rochester Fire Department due to injuries incurred in the performance of his or her duties, as provided for in GML §208-b.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-268
Re: 2021-22 Year-End Budget Amendment

Council Priority: Deficit Reduction and
Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation amending the 2021-22 Budget as follows:

1. Transfer a total of \$8,380,600 from Contingency to the following departments:

Police Department	\$6,312,600
Fire Department	\$2,068,000

2. Transfers of appropriations totaling \$7,400,000 from the following departments to Cash Capital:

Administration	
• Mayor's Office	\$150,000
• Communications	\$150,000
• Human Resources	<u>\$350,000</u>
Sub-total Administration	\$650,000
Law Department	\$250,000
Environmental Services	\$900,000
Information Technology	\$400,000
Neighborhood and Business Development	\$400,000
Recreation and Human Services	\$800,000
Undistributed Expenses	\$4,000,000

The appropriation transfers are authorized pursuant to Section 6-13 of the City Charter.

The City Council has previously authorized 55 other amendments to the 2021-22 Budget. These amendments reflect 4 appropriation transfers, 50 appropriation increases based upon the receipt of additional revenues, and 1 appropriation that included both a transfer and increase.

Actual receipts and expenditures for 2021-22 will be audited by the City's external auditors, Freed, Maxick, and Battaglia. The proposed amendments are required to complete the audit process and ensure adherence to Section 6-16 of the City Charter, which prohibits expenditures in excess of authorized appropriations.

The proposed total increase of \$7,400,000 to the Cash Capital allocation is to fund capital projects as follows:

1. \$1,835,000 to fund the Olean-Kennedy Residential Development (North and South blocks) to prepare these properties for development of affordable owner-occupied housing

2. \$1,750,000 in additional funding for the Trees Expansion Beautification Program and the Annual Forestry Tree Program to increase the inventory of City trees while creating an equitable City-wide tree stocking rate
3. \$750,000 in additional funding for library facility improvements, including the Rundel Library Elevator Upgrades and the Charlotte Branch Library Roof Replacement projects
4. \$690,000 in additional funding for fire house facility improvements at the Chestnut Fire House, Broad and Allen Fire House, and Genesee Fire House
5. \$650,000 in additional funding for general rehabilitation, furnishings, and equipment needs at recreational facilities
6. \$625,000 in additional funding for safety enhancements including lighting, landscaping, fencing, and signage to Animal Services and select parks, fields, and playgrounds
7. \$450,000 to implement phase 4 of the Infor Public Land Management software which would configure the tool to accommodate additional licensing and permitting functions currently processed through the Mainframe or other end-of-life systems
8. \$400,000 to fund the redesign of the City's website and move the content to a new platform
9. \$250,000 in additional funding for general rehabilitation needs at City facilities

On June 15, 2021, when the 2021-22 Budget was adopted by City Council, salary and wage rates had not yet been established for uniformed employees represented by the Rochester Police Locust Club, Inc. nor the International Association of Firefighters, Local 1071 (IAFF). The collective bargaining agreement for the Rochester Police Locust Club expired on June 30, 2019 and the IAFF collective bargaining agreement expired on June 30, 2021. Contract negotiations with the Locust Club on a successor agreement were unsuccessful and as a result the Locust Club filed for impasse on April 27, 2022 and ultimately filed for interest arbitration on July 15, 2022. Negotiations with IAFF are ongoing in an effort to reach a settlement. Allowances are being made for the projected anticipated costs of these unsettled contracts.

The City Senior Management Team effectively managed their 2021-22 operating budgets with actual spending less than 2021-22 Budget allocations for all departments. Significant inflationary pressure in the areas of fuel, utilities and supplies impacted most departments however, this was largely offset by personnel vacancies and associated fringe benefit savings.

Respectfully submitted,
 Malik D. Evans
 Mayor

Ordinance No. 2022-268
 (Int. No. 356)

Amending the 2021-22 Budget for year-end Budget amendments

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 transferring the total sum of \$7,400,000 from the following departments to Cash Capital:

- a) \$150,000 from the Mayor's Office;
- b) \$150,000 from the Bureau of Communications;
- c) \$350,000 from the Department of Human Resources;
- d) \$900,000 from the Department of Environmental Services;

- e) \$400,000 from the Department of Information Technology;
- f) \$250,000 from the Department of Law;
- g) \$400,000 from the Department of Neighborhood and Business Development;
- h) \$800,000 from the Department of Recreation and Human Services; and
- i) \$4,000,000 from Undistributed Expenses.

Section 2. Ordinance No. 2021-174, the 2021-22 Budget of the City of Rochester, as amended, is hereby further amended by transferring the total sum of \$8,380,600 from Contingency to the following departments for pending wage and salary settlements:

- a) \$6,312,600 to the Police Department; and
- b) \$2,068,000 to the Fire Department.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Martin, Patterson, Peo, Smith - 8.

Nays - Vice President Lupien - 1.

By Councilmember Patterson
September 20, 2022

To the Council:

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

- Int. No. 329 Authorizing the sale of real estate
- Int. No. 330 Authorizing a lease for space located at 1099 Jay Street
- Int. No. 331 Appropriating Emergency Solutions Grant-Coronavirus funds and authorizing agreement for services to the homeless focused on Peace Village
- Int. No. 332 Resolution approving appointments to the Zoning Board of Appeals
- Int. No. 333 Resolution approving appointments to the City Planning Commission
- Int. No. 334 Resolution approving appointment to the Rochester Preservation Board

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

Int. No. 349 Authorizing an application and grant agreement for Restore NY Communities Initiative - Round 6

Int. No. 350 Resolution endorsing Monroe County application for Restore NY Communities Initiative - Round 6 grant to support the Tent City Revitalization Project

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

Int. No. 322 Amending the Zoning Code and the Business Permits Code to allow and regulate Adult-Use Dispensaries and Adult-Use Consumption Lounges in some zoning districts in accordance with the State Cannabis Law

Respectfully submitted,
Michael A. Patterson
LaShay D. Harris
Kimberly Smith
Mary Lupien
Miguel Meléndez

NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-269
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

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

The parcels are listed on the attached spreadsheet under the heading, I. Negotiated Sale - Unbuildable Vacant Land. The vacant lot at 725R Harvard Street is being sold to James C. Cunningham, Jr., the lot at 201 Orange Street is being sold to Jerone T. Myers, and the lot at 98 Taylor Street is being sold to Kevin Hillman. They are each being sold for \$1.00 (as per City policy) and will be combined with the primary parcel owned by the identified adjoining owner.

The first year projected tax revenue for these properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$625.

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

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV - 150
Ordinance No. 2022-269
(Int. No. 329)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of each of the following unbuildable parcels of vacant land to the owner of an adjoining parcel for \$1:

Address	S.B.L. #	Sq. ft.	Purchaser
725R Harvard St	122.53-3-22	611	James C. Cunningham, Jr.
201 Orange St	105.83-3-50.001	3,870	Jerone T. Myers
98 Taylor St	120.34-2-58	2,769	Kevin Hillman

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-270
Re: Lease Agreement - 1099 Jay Street

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a lease agreement between the City of Rochester and Rochester Colonial Manufacturing Corp. (Anthony Monaco, CEO, 1794 Lyell Ave, Rochester, NY). The City will lease approximately 3,190 square feet of space on the interior of 1099 Jay Street (Water Tower Park) for use as offices and operations for the Rochester Police Department Special Teams Division. The initial term will commence between October 1 and November 1, 2022 upon completion of some minor renovations being made by the landlord, and will end June 30, 2024. The cost for the lease for the first term, as established by an appraisal prepared in June 2022, by Bruckner, Tillet, Rossi, Cahill & Associates, will be payable in monthly installments of \$2,791.25, which is an annualized cost of \$33,495 per year. There are five optional one year renewals, with annual rent adjustments linked to the one year change in the CPI-U

(Consumer Price Index-Urban area, all items), not to exceed 3% annually as measured in the most recent available date prior to each July 1st. The initial cost of this lease will be funded by the 2022- 23 Budget of the Rochester Police Department. Subsequent annual lease costs will be funded from subsequent budgets of the Rochester Police Department upon approval. The initial lease term expiration is set to align renewal dates with the City Fiscal year.

The City has leased space for a Section office at this facility since 2004, however, this additional lease is for a different division of the RPD. It needs to be a separate lease as future needs for the two divisions at this location may be different from each other, and there is no additional space in the current leased premises at 1099 Jay Street to accommodate the Special Teams Division. There currently is no designated spot in other RPD Locations for the Special Teams and their equipment which is stored at various locations throughout the RPD facilities. The new lease space will serve as a single reporting location for Special Teams Operations where all needed logistics and equipment are readily available. Uses include space for pre-planning, briefings and debriefings, meetings, records storage, equipment storage and repair, and departmental training.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-151

Ordinance No. 2022-270
(Int. No. 330)

Authorizing a lease for space located at 1099 Jay Street

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

Section 1. The City is hereby authorized to enter into an agreement with Rochester Colonial Mfg. Corp. for the lease of approximately 3,190 square feet of floor space at 1099 Jay Street for municipal use. The term of the agreement shall commence on a mutually agreed upon date from October 1, 2022 to November 1, 2022 and shall extend to June 30, 2024, with the option to extend for up to five additional periods of 1 year each.

Section 2. The rent payments shall be \$2,791.25 per month for the initial term. For each optional term extension agreed to by the parties, if any, the monthly rent payment shall be based on the rate for the immediately preceding initial or extended term, which may be increased based on the Consumer Price Index for All Urban Consumers (CPI-U), but shall in no event exceed a 3% increase. The rent payments shall be funded from the 2022-23 Budget of the Rochester Police Department (RPD) for the initial term, and from the future years' Budgets of RPD for each optional term extension, contingent upon the approval of the future budgets.

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 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. 2022-271
Re: Peace Village Oversight and
Management – Emergency Solutions
Grants CARES Act (ESG-CV)
Grants Program

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 provision of enhanced street outreach and engagement services for the continuation and expansion of services for homeless and unhoused persons at Peace Village (97 Industrial Street, Rochester). This legislation will:

- 1) Appropriate \$240,510 from the Emergency Solutions Grants CARES Act (ESG-CV) funds from the 2019-20 Annual Action Plan, ESG allocation; and
- 2) Establish \$250,000 as maximum compensation for a one-year agreement with Person Centered Housing Options Inc. (PCHO) (Charles Albanese, CEO and President, 400 West Ave. Suite 200, Rochester) to provide street outreach services and oversight, as follows:
 - a. 2019-20 Annual Action Plan ESG-CV \$240,510;
 - b. 2019-20 Annual Action Plan ESG-CV (Ord. No. 2020-188) \$9,490.

ESG and ESG-CV funds provide emergency housing and support services for individuals and families who are homeless or at risk of homelessness. Eligible activities include case management, support services, service coordination, shelter operations (staffing and operating costs), financial assistance and related services for prevention of homelessness and rapid rehousing, and street outreach. City of Rochester funded Street Outreach programs are designed to engage unhoused persons and link them with appropriate services, with the ultimate goal of connecting all homeless persons with permanent housing solutions. This proposed agreement expands street outreach and engagement services, with a focus on Peace Village, including the oversight of the homeless camp and outreach to the surrounding areas. This additional funding for services coincides with an increased investment from the Monroe County Department of Human Services (DHS) and Office of Mental Health (OMH) to PCHO. Together these funds are aimed at shortening or reducing episodes of street homelessness and increasing PCHO's capacity and ability to respond to calls for assistance to homeless persons throughout the community.

Over the past six years, PCHO has provided Street Outreach services throughout the City of Rochester supported by funding from a variety of sources, including the City's ESG program. The City and Monroe County Office of Planning annually provide PCHO with approximately \$80,000-100,000 in ESG funding, awarded in response to a Request for Proposal process. Over the past two years, the City has also provided ESG-CV funds to PCHO, to provide similar services to persons living at Peace Village. The outreach at Peace Village and throughout the City has been largely successful, with 70% of households engaged entering housing. During FY 2019-20, PCHO served 217 unhoused "households", resulting in approximately 150 households securing housing. PCHO also received 425 calls for service from a variety of sources (RPD, Sheriff's Office, City of Rochester, Monroe County, DHS, Neighborhood Groups, etc.). During FY 2020-21, PCHO engaged and served 275 unhoused clients and received 832 calls for service.

Peace Village was established in late 2018, and has been operating as a homeless encampment since inception. The City worked with Spectrum, local homeless services providers, City Roots Community Land Trust, and prospective camp residents to select, design, and develop the site. Those initially living at Peace Village spearheaded the management of the camp, with support provided by local homeless services providers and committed volunteers. The City provides in – kind services including refuse removal, provision of cleaning supplies, and financial management.

Over the past two years, Peace Village has undergone some significant changes. During the height of the COVID pandemic, the majority of residents were transferred to Hotels and referred to permanent housing. This was a positive, but loss of long term residents created an opportunity for illegal activities to spread and quality of life to decrease. PCHO has consistently engaged persons that visit or stay at Peace Village, however a lack of formal oversight at the camp and limited engagement from other community partners has led to a decrease in the quality of life there.

The remaining stakeholders recognized the issues at Peace Village, and, after discussions with the Monroe County Planning Department, DHS, OMH, and PCHO it became clear that additional resources were necessary to address larger issues, such as; a growing number of unhoused persons as well as an increase in both the size and number of illegal camps in the region. The City of Rochester, Monroe County, DHS, and OMH met to discuss how to address the issues at Peace Village and elsewhere, and to consider a proposal that PCHO had submitted to expand outreach, offer enhanced activities at Peace Village, and provide additional services. After proposal review and discussion of funding options, the County and City agreed to work together for the next three years to try to support PCHO's work and determine the long-term viability of the Peace Village approach.

The City's proposed funding will be used for two new full time outreach worker positions, and an increased on-site presence at Peace Village. The proposed budget also includes contracted security, operating expenses, survival/hygienic supplies, and resident storage. The outreach team at Peace Village will be located on-site and will provide services that coordinate care, provide case management and outreach, support access to housing and provide clients with the necessities to survive at Peace Village temporarily. By assisting and supporting the residents of Peace Village, PCHO develops relationships and trust with the greater community of unhoused persons. Their presence and progressive engagement promotes the health and wellbeing of the residents and maintains both the cleanliness and organization of the camp. The improvements to Peace Village may create a more desirable or welcoming space for other unhoused persons, resulting in fewer occurrences of illegal camping in other parts of the City.

Included in PCHO's services will be on-site engagement, transportation to and from free meals in the city, welcoming and completing intake with new residents, assisting with move-outs and transitions to more traditional or permanent housing, coordinating donations, site management, communicating and coordinating with emergency services as necessary to ensure safety, and providing regular reports. Additional services will be offered on site, and PCHO has recently stepped up outreach to other homeless services and healthcare organizations. PCHO will also take the lead with organizing and coordinating the activities of several volunteer groups, service providers, and fundraising efforts.

It is expected that PCHO will be able to serve a greater number of persons, respond to more calls for service and do so more quickly through a better triage system, and successfully house the persons they engage at a rate comparable to prior years (60-70%).

The City has funded PCHO for similar services and for activities Citywide and at this location through a competitive Request for Proposal (RFP) process and is confident that PCHO is the only provider both willing and able to provide the necessary services to Peace Village and the City at large. They have successfully worked with local neighborhood groups to help problem solve when camps appear, and are able to consider and balance the concerns of residents with the rights and needs of their clients and other homeless persons.

Attached is a Justification for No RFP. This legislation supports the City Housing Policy's Section 4: Promote Housing Choice.

If funds are different, not available, or less than anticipated, agreement amounts and terms will be adjusted accordingly. The term of the agreement will be for one year, with the option to extend for one additional year if funds remain in the original appropriation.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-152

Ordinance No. 2022-271
(Int. No. 331)

Appropriating Emergency Solutions Grant-Coronavirus funds and authorizing agreement for services to the homeless focused on Peace Village

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

Section 1. The sum of \$240,510 is hereby appropriated from the Emergency Solutions Grant-Coronavirus (ESG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 and by Ordinance No. 2020-225 to continue and expand services for the homeless and those at risk of homelessness under the Emergency Solutions Grant Program.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Person Centered Housing Options Inc. to provide street outreach and engagement services for homeless and unhoused persons with a focus on oversight of the Peace Village homeless camp and outreach to the surrounding areas. The maximum compensation for the agreement shall be \$250,000, which shall be funded in the amounts of \$240,510 from the ESG-CV funds appropriated in Section 1 herein and \$9,490 from ESG-CV funds appropriated to services for the homeless and those at risk of homelessness in Ordinance No. 2020-188. The agreement shall have a term of 1 year with the option to extend for up to one additional year if funds from the original appropriations remain.

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:

Resolution No. 2022-43
Re: Appointments – Zoning Board of Appeals

Transmitted herewith for your approval is legislation confirming the appointment of two full-time members to the Zoning Board of Appeals. They are filling vacant seats for a term that will expire on May 31, 2024.

<u>Name</u>	<u>District Represented</u>
Janene S. Miller	East (14607)
Heath P. Boice-Pardee, Ed.D.	East (14607)

Resumes are on file with the City Clerk.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-153

Resolution No. 2022-43
(Int. No. 332)

Resolution approving appointments to the Zoning Board of Appeals

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

Section 1. The Council hereby approves the appointment of the following individuals to the Zoning Board of Appeals, each as a new regular member, for a term which shall expire on May 31, 2024:

Name	District Represented
Janene S. Miller	East (Center City)
Heath P. Boice-Pardee, Ed.D.	East

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2022-44
Re: Appointments – City Planning
Commission

Transmitted herewith for your approval is legislation confirming the appointments of two full-time members to the Planning Commission. They are filling vacant seats for a term that will expire on May 31, 2024.

<u>Name</u>	<u>District Represented</u>
Nicholas Carleton	East (14607)
Joan Roby-Davison	NE (14621)

Resumes are on file with the City Clerk.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-154

Resolution No. 2022-44
(Int. No. 333)

Resolution approving appointments to the City Planning Commission

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

Section 1. The Council hereby approves the appointment of the following individuals to the City Planning Commission, each as a regular member, for a term which shall expire on May 31, 2024:

Name	District Represented
Nicholas Carleton	East
Joan Roby-Davison	Northeast

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2022-45
Re: Appointment – Rochester Preservation
Board

Transmitted herewith for your approval is legislation confirming the appointment of one full-time member to the Rochester Preservation Board. She is filling a vacant seat for a term that will expire on May 31, 2024.

<u>Name</u>	<u>District Represented</u>
Falon M. Uloth	East (14609)

Resume is on file with the City Clerk.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-155

Resolution No. 2022-45
(Int. No. 334)

Resolution approving appointment to the Rochester Preservation Board

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

Section 1. The Council hereby approves the appointment of the following individual to the Rochester Preservation Board, as a new regular member, for a term which shall expire on May 31, 2024:

Name
Falon M. Uloth

District Represented
East

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-272
Re: Restore New York Communities
Initiative — Round 6 Rochester
Riverway - Downtown East Initiative

Council Priority: Creating and Sustaining a
Culture of Vibrancy — Revitalize Downtown,
and Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation relating to the "Rochester Riverway-Downtown East Initiative," a program to reuse and/or rehabilitate up to five underutilized properties at strategic locations (Project). The legislation authorizes an application to Empire State Development (ESD), and a subsequent grant disbursement agreement with the New York State Urban Development Corporation, doing business as ESD, for the receipt and use of a grant totaling up to \$5,000,000 to help fund the Project. The source of the funding would be Round 6 of the Restore New York Communities Initiative (Restore NY).

Restore NY provides financial assistance to municipalities for the demolition, deconstruction, rehabilitation and/or reconstruction of vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed-use buildings. Restore NY funds may also be used for site development needs to support the rehabilitation of properties. Total statewide funding for Round 6 is \$100,000,000. Municipalities with populations over 100,000 are eligible to apply for one project, with a maximum grant request of \$5,000,000. A single Restore NY project may include multiple, geographically-proximate properties.

An internal advisory committee composed of staff from the Department of Neighborhood and Business Development reviewed properties for inclusion in the City's 2022 Restore NY Round 6 application. The advisory committee recommended an "Rochester Riverway-Downtown East Initiative," consisting of five underutilized properties that are strategically clustered in proximity-to areas of recent and upcoming significant downtown investment such as ROC the Riverway, the Downtown Revitalization Initiative (DRI), Midtown Rising, and Sibley Square. The City would use the Round 6 Restore NY grant to provide gap funding for the adaptive reuse and/or rehabilitation of those properties in order to further downtown revitalization as recommended in the City's Rochester 2034 Comprehensive Plan. A letter of intent to apply for this project was submitted to ESD on August 11, 2022 and a full application is due to ESD by October 11, 2022.

The City will request \$5,000,000 in funding for the properties listed (see the attached property and project location map), or others, if deemed necessary by the Mayor. The five listed projects represent a total estimated investment of \$149,284,512, with the creation of up to 391 mixed-income housing units and the renovation of up to 52,414 square feet of commercial space. Developers listed are further defined as follows:

SAA / EVI: Ernst Valery, Co-managing Member
David Alexander, Co-managing Member.

Headquartered: 1707 N Charles Street, Baltimore, Maryland 21201

Edwards Building LLC: Patrick Dutton, President
Headquartered: 34 Elton Street, Rochester, New York 14607

Cox Rochester LLC: Derek C. Persse, Managing Member
Headquartered: 8100 Oasis Lane, Clay, New York 13041

Ren Square LLC: Patrick Dutton, Member
Headquartered: 34 Elton Street, Rochester, New York 14607

CSD Housing LLC: Michael Dehmler, Managing Member
Headquartered: 642 Kreag Road, Pittsford, New York 14534

As per ESD's Restore NY program guidelines, the application requires third-party cost estimates, five-year Pro Formas, and sources and uses of funds as indicators of sufficient Project funding. In accordance with Restore NY program guidelines, this application is consistent with the following principles:

- The proposed project is consistent with the City's: 1) Comprehensive Plan; 2) Consolidated Community Development Plan 2020—2024; 3) Center City Master Plan; 4) Housing Policy; and 5) Midtown Urban Renewal District Plan;
- The proposed financing is appropriate for the specific project;
- The project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and
- Where applicable, the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities.

A public hearing and three days notification in a local daily newspaper are required.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-156

Ordinance No. 2022-272
(Int. No. 349)

Authorizing an application and grant agreement for Restore NY Communities Initiative - Round 6

WHEREAS, the Mayor has presented to the Council of the City of Rochester a proposal to submit an application to the Empire State Development Corporation (ESD) and to enter into a subsequent agreement with the New York State Urban Development Corporation, doing business as ESD, for the receipt and use of a grant of up to \$5 million through Round 6 of the Restore NY Communities Initiative (Restore NY), for the City to provide gap funding for the adaptive reuse and/or rehabilitation of Rochester Riverway-Downtown East Initiative properties identified as strategically important to the continued revitalization of the Center City (the Project); and

WHEREAS, the Council has conducted a duly noticed public hearing and reviewed the Project that is proposed for the application to ESD in accordance with Restore NY program requirements and guidelines.

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

Section 1. The Council hereby finds that:

- (a) the proposed Project is consistent with the following principles:
 - 1) the Comprehensive Plan;
 - 2) the Consolidated Community Development Plan for 2020-2024;
 - 3) the Center City Master Plan;
 - 4) the Housing Policy; and
 - 5) the Midtown Urban Renewal District Plan;
- (b) the proposed financing is appropriate for the Project;
- (c) the Project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and
- (d) where applicable, the Project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities.

Section 2. The Mayor is hereby authorized to submit the Project application to the Empire State Development Corporation (ESD) and to enter into a subsequent agreement with the New York State Urban Development Corporation, doing business as ESD, for the receipt and use of a grant of up to \$5 million through Round 6 of the Restore NY initiative, to provide gap funding for the adaptive reuse and/or rehabilitation of the Rochester Riverway-Downtown East Initiative properties identified as strategically important to the continued revitalization of the Center City (the Project).

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

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

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

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2022-46
Re: Restore New York Communities
Initiative — Round 6 Endorsing County
Application for Tent City Revitalization
Project

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation endorsing a grant application by the County of Monroe (County) for up to \$2 million to support the Tent City Revitalization Project (Project). The project would adaptively reuse and rehabilitate the former Tent City building located at 280 and 286 Lyell Avenue (see the attached project location map) to create approximately 88 affordable housing units with support services (the Project). The grant would be funded by Empire State Development (ESD) through Round 6 of the Restore New York Communities Initiative (Restore NY).

Restore NY provides financial assistance to municipalities for the demolition, deconstruction, rehabilitation and/or reconstruction of vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed-use buildings. Restore NY funds may also be used for site development needs to support the rehabilitation of properties. Total statewide funding for Round 6 is \$100,000,000.

The \$56 million Project is located in the Lyell-Lake-State Street (LYLAKS) Brownfield Opportunity Area and includes the rehabilitation of an approximately 126,000 square foot five-story vacant building into 88 affordable residential units. The Project developer is Winn Development Company (Gilbert J. Winn, CEO, Boston, MA). The County submitted a letter of intent to ESD on August 11, 2022 and intends to submit a full application by the application deadline of October 11, 2022. The City's Neighborhood and Business Development Department has reviewed the proposed Project and endorses the County's application.

ESD's Restore NY program guidelines state that the legislative body of the local municipality that maintains land use control over the proposed project site must pass a resolution finding that: proposed project is consistent with the municipality's local revitalization or urban development plan; the proposed financing is appropriate for the specific project; the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and/or other facilities, in a manner that will attract, create, and sustain employment opportunities where applicable.

In accordance with Restore NY program guidelines, this application is consistent with the following principles:

- The proposed project is consistent with the City's: 1) Comprehensive Plan; 2) Consolidated Community Development Plan 2020—2024; and 3) Housing Policy;
- The proposed financing is appropriate for the specific project;
- The project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and
- Where applicable, the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities.

A public hearing and three days notification in a local daily newspaper are required.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-157

Resolution No. 2022-46
(Int. No. 350)

Resolution endorsing Monroe County application for Restore NY Communities Initiative - Round 6 grant to support the Tent City Revitalization Project

WHEREAS, the County of Monroe (County) has presented to the City a proposal to apply to the Empire State Development Corporation (ESD) for a grant of up to \$2 million through Round 6 of the Restore NY Communities Initiative (Restore NY) to help fund the adaptive reuse and rehabilitation of the former Tent City building located at 280 and 286 Lyell Avenue to establish approximately 88 units of affordable housing with support services (the Tent City Revitalization Project); and

WHEREAS, the Council has reviewed the Tent City Revitalization Project proposal and has conducted a duly noticed public hearing about it in accordance with Restore NY program requirements and guidelines.

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

Section 1. The Council hereby finds that:

(a) the proposed Project is consistent with the following principles:

- 1) the Comprehensive Plan;
- 2) the Consolidated Community Development Plan for 2020-2024; and
- 3) the Housing Policy;

(b) the proposed financing is appropriate for the Project;

(c) the Project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and

(d) where applicable, the Project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities.

Section 2. The Council hereby does endorse and recommends that ESD approve the County's application for a grant of up to \$2 million through Restore NY to help fund the Tent City Revitalization Project.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Lightfoot
September 20, 2022

To the Council:

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

Int. No. 335 Amending Ordinance No. 2019-62 relating to an Empire State Development grant for the Blue Cross Arena at the War Memorial Riverside Addition Project

- Int. No. 336 Authorizing an agreement for design of a Genesee Waterways Center Boathouse
- Int. No. 337 Authorizing funding and amending Ordinance No. 2021-294 relating to the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project

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

Int. No. 209 Amending the Official Map by abandoning the Albow Place right-of-way

Int. No. 210 Amending the Official Map by abandoning the Sellinger Street right-of-way

Respectfully submitted,
Willie J. Lightfoot
Mitch Gruber
Jose Peo
Mary Lupien
Miguel Meléndez

PARKS & PUBLIC WORKS COMMITTEE

Received filed and published

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-273
Re: Los Flamboyanes Townhouse
Replacement Project at 676, 720
and 744 N. Clinton Avenue Official
Map Amendment - Albow Place
Abandonment

Council Priority: Reinforcing Strong
Neighborhoods and Fostering Prosperity
& Opportunity

Transmitted herewith for your approval is legislation related to Los Flamboyanes Townhouse Replacement Project at 676, 720 and 744 N. Clinton Avenue. This legislation will amend the Official Map by abandoning Albow Place.

Borinquen Plaza Housing Company Inc. plans to utilize the right-of-way (ROW) for parcel development and to be incorporated with adjacent properties including a Site Plan for the City of Rochester. Albow Place is granted by easement and considered an easement streets. Upon abandonment the ROW becomes a parcel that will revert to the developer, Borinquen Plaza Housing Company Inc.

The abandonment shall take effect upon the compliance by the applicant with the recommendations and conditions established by the City Planning Commission. The City Planning Commission, at its May 2, 2022 meeting recommended approval of Albow Place abandonment by a vote of 5-0-0. Minutes of that meeting, along with the application, are attached. The abandonment of Albow Place was endorsed by the Traffic Control Board on December 20, 2016.

A public hearing is required.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-158

Ordinance No. 2022-273
(Int. No. 209)

Amending the Official Map by abandoning the Albow Place right-of-way

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

Section 1. Chapter 76 of the Municipal Code, Official Map, as amended, is hereby further amended by changing and deleting therefrom the Albow Place right-of-way abutting the eastern side of North Clinton Avenue and heretofore dedicated to street purposes. This amendment shall be contingent upon the City Engineer or her designee affirming the satisfaction of conditions necessary for the abandoned parcel to revert to the owners of abutting parcels of land.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

OrdinanceNo. 2022-274
Re: Los Flamboyanes Townhouse
Replacement Project at 676, 720
and 744 N. Clinton Avenue Official
Map Amendment - Sellinger Street
Abandonment

Council Priority: Reinforcing Strong
Neighborhoods and Fostering Prosperity
& Opportunity

Transmitted herewith for your approval is legislation related to Los Flamboyanes Townhouse Replacement Project at 676, 720 and 744 N. Clinton Avenue. This legislation will amend the Official Map by abandoning Sellinger Street.

Borinquen Plaza Housing Company Inc. plans to utilize the right-of-way (ROW) for parcel development and to be incorporated with adjacent properties including a Site Plan for the City of Rochester. Sellinger Street is granted by easement and considered an easement streets. Upon abandonment the ROW becomes a parcel that will revert to the developer, Borinquen Plaza Housing Company Inc.

The abandonment shall take effect upon the compliance by the applicant with the recommendations and conditions established by the City Planning Commission. The City Planning Commission, at its May 2, 2022 meeting recommended approval of Sellinger Street abandonment by a vote of 5-0-0. Minutes of that meeting,

along with the application, are attached. The abandonment of Sellinger Street was endorsed by the Traffic Control Board on December 20, 2016.

A public hearing is required.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-159

Ordinance No. 2022-274
(Int. No. 210)

Amending the Official Map by abandoning the Sellinger Street right-of-way

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

Section 1. Chapter 76 of the Municipal Code, Official Map, as amended, is hereby further amended by changing and deleting therefrom the Sellinger Street right-of-way abutting the eastern side of North Clinton Avenue and heretofore dedicated to street purposes. This amendment shall be contingent upon the City Engineer or her designee affirming the satisfaction of conditions necessary for the abandoned parcel to revert to the owners of abutting parcels of land.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-275
Re: Grant Acceptance – Empire State
Development for Blue Cross Arena at
the War Memorial Riverside Addition

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation amending Ordinance No. 2019-62, which authorized the Mayor to enter into an agreement with New York State Empire State Development (ESD) for \$6 million to participate in, administer and fund the Blue Cross Arena at the War Memorial Riverside Addition Project as part of the Roc the Riverway initiative. The amendment will increase the funding by an additional \$1 million for a revised total of \$7 million.

The Blue Cross Arena at the War Memorial Riverside Addition Project will include a multi-story expansion and façade modernization along the Genesee River. The additional ESD funding will support a revised

project scope with expanded high quality space intended to be compatible with the functional needs of the arena and to engage arena patrons to view internal events and spectacular river view sheds simultaneously. The project may include, but is not limited to, reconfigured suites and Club Seating on the third level, expanded concession space for additional vendors and expanded viewing areas on the second level, and updated riverside meeting rooms on the first level.

The project is currently under preliminary design per Ordinance 2020-221. Construction is anticipated to begin in the fall 2023 and be completed in the fall of 2025.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-160

Ordinance No. 2022-275
(Int. No. 335)

Amending Ordinance No. 2019-62 relating to an Empire State Development grant for the Blue Cross Arena at the War Memorial Riverside Addition Project

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

Section 1. Section 1 of Ordinance No. 2019-62, Authorizing agreements for the Roc the Riverway initiative, is hereby amended with regard to the first-listed initiative project to read as follows:

Section 1. The Mayor is hereby authorized to enter into agreements with Empire State Development (ESD), the New York State Department of State (NYSDOS), and the New York State Department of Transportation (NYSDOT) to participate in, administer and fund the following Roc the Riverway initiative projects that were awarded funding through the Upstate Revitalization Initiative (URI):

Project Name	State Agency	URI Funding	Total Cost
Blue Cross Arena	ESD	\$6,000,000	\$6,000,000
		<u>\$7,000,000</u>	<u>\$7,000,000</u>

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. 2022-276
Re: Agreement – Labella Associates, D.P.C. -
Genesee Waterways Center Boathouse
Schematic Design

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation establishing \$150,000 as maximum compensation for a professional services agreement with LaBella Associates, D.P.C., (Steven Metzger, C.E.O., 300 State Street, Suite 201, Rochester, New York) for schematic architectural and engineering design services for the Genesee Waterways Center Boathouse project. The cost of the agreement will be financed from 2020-21 Cash Capital.

The project includes the schematic design of a new community boathouse. The consultant will provide investigation and design services through schematic design for a new community boathouse and exterior supportive site elements to be located in Genesee Valley Park, west of the Genesee River.

LaBella Associates, D.P.C was selected for schematic design services through a request for proposal process, which is described in the attached summary.

Schematic architectural and engineering design services will begin in fall 2022, with anticipated completion in early 2023. The agreement will result in the creation and/or retention of the equivalent of 1.6 full-time jobs.

The term of the agreement shall extend until 6 months after submission of the schematic design documents.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-161

Ordinance No. 2022-276
(Int. No. 336)

Authorizing an agreement for design of a Genesee Waterways Center Boathouse

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 Labella Associates, D.P.C. for schematic architectural and engineering design services for a Genesee Waterways Center Boathouse in Genesee Valley Park. The maximum compensation for the agreement shall be \$150,000, which shall be funded from 2020-21 Cash Capital. The term of the agreement shall extend to 6 months after submission of the schematic design documents.

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. 2022-277
Re: Grant Authorization - Charles Carroll
Plaza and Genesee Crossroads Parking
Garage Roof Slab Reconstruction Project

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project. This legislation will:

1. Authorize the receipt and use of \$220,000 in awarded funding from the Rochester Gas and Electric Corporation (RG&E) Look Upstate NY / Commercial Corridor/Main Street Revitalization Assistance Program for electrical infrastructure improvements and lighting installations for Phase two of the Project; and,
2. Amend Section 5 of Ordinance No. 2021-294 to change the funding for the amendatory agreement with T.Y. Lin International Engineering & Architecture, P.C., which was originally authorized in Ordinance No. 2015-71 and as amended in Ordinance Nos. 2016-404, 2019-96 and 2021-294, by reducing the bond authorized by Ordinance No. 2021-295 by \$20,000 and replacing those funds with funds appropriated herein.

Charles Carroll Plaza is located on the west side of the Genesee River between Main Street and Andrews Street and is built on top of the Genesee Crossroads Parking Garage.

Phase one of this ROC the Riverway project includes renovation and extension of the Sister Cities Bridge to achieve a bicycle friendly, fully ADA accessible link across the Genesee River from Bragdon Place to the Charles Carroll Plaza. Per Ordinance No. 2021-294, RG&E has awarded \$219,129 for this phase.

Phase two includes the removal of the plaza to perform structural repairs to the garage roof slab underneath, replacement of the slab waterproofing system, and construction of a modernized plaza, with an updated, naturally flowing space with ADA accessible connections serving as a critical link in the Genesee Riverway Trail system.

The amendatory agreement with T.Y. Lin International Engineering & Architecture, P.C. shall be financed as follows:

Source of Funds	Amount
2012-13 Cash Capital	\$250,000
2013-14 Cash Capital	300,000
2014-15 Cash Capital	150,000
NYSDOS appropriated Ordinance No. 2016-404	400,000
NYSDOS appropriated Ordinance No. 2019-96	1,100,000
Debt authorized Ordinance No. 2021-294	100,000
RG&E Reimbursement Phase 1 per Ordinance No. 2021-294	20,000
RGE Reimbursement Phase 2 authorized herein	20,000
Total	\$2,340,000

RG&E, through this program, offers economic development incentives to encourage business to remain in New York State and to attract new companies to the region. The program provides a matching grant of up to \$20,000 in support of design development and \$200,000 in support of electric infrastructure and lighting construction.

Construction of Phase one is substantially complete, however, the area will remain closed until completion of the plaza renovation under Phase two. Construction of Phase two began in fall 2021 and is anticipated to be complete in summer 2023.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-162

Ordinance No. 2022-277
(Int. No. 337)

Authorizing funding and amending Ordinance No. 2021-294 relating to the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project

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

Section 1. The Council hereby authorizes the receipt and use of \$220,000 in funding from the Rochester Gas and Electric Corporation (RGE) Commercial Corridor/Main Street Revitalization Assistance Program, which amount is hereby appropriated for electrical infrastructure and lighting improvements relating to Phase Two of the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project (the Project). The Mayor is hereby authorized to enter into any agreement and to execute such documentation as is necessary to effectuate the Project funding authorized herein and such agreements and documents shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 2. Section 5 of Ordinance No. 2021-294, Authorizing funding and amendatory agreements relating to the Project, is hereby amended to read as follows:

Section 5. The Mayor is hereby authorized to enter into an amendatory professional services agreement with T.Y. Lin International Engineering & Architecture, P.C. to provide additional engineering services for the Project. The amendments shall increase the maximum compensation of the existing agreement, which was authorized in Ordinance No. 2015-71 and as amended in Ordinance Nos. 2016-404 and 2019-96, by \$140,000 to a new total of \$2,340,000. The increase shall be funded in the amounts of ~~\$120,000~~ \$100,000 from the proceeds of bonds authorized for the Project in ~~a concurrent ordinance~~ Ordinance No. 2021-295, \$20,000 in RGE reimbursements appropriated for electrical infrastructure and lighting improvements to Phase Two of the Project in Ordinance No. 2022-277 and \$20,000 in anticipated reimbursements from RGE authorized herein in Section 3.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

By President Meléndez
September 20, 2022

To the Council:

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

- Int. No. 338 Authorizing an agreement for motor vehicle accident records management
- Int. No. 339 Authorizing an intermunicipal agreement with the Rochester City School District for traffic and crowd control services
- Int. No. 340 Authorizing an amendatory agreement relating to fitness for duty clinical services for the Rochester Police Department
- Int. No. 341 Authorizing a funding agreement and amending the 2022-23 Budget for the 2023 Pedestrian Safety Enforcement and Education Program
- Int. No. 342 Authorizing an intermunicipal agreement with the County of Monroe for explosives storage
- Int. No. 354 Authorizing an agreement and amending the 2022-23 Budget relating to Pathways to Peace
- Int. No. 357 Authorizing the receipt and use of United States Department of Justice funds to equip the Greater Rochester Area Narcotics Enforcement Team

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

- Int. No. 352 Authorizing an agreement for body worn cameras and a digital evidence management system for the Rochester Police Department
- Int. No. 352-A Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,020,000 for body worn cameras and a digital evidence management system for the Rochester Police Department

Respectfully submitted,
Miguel A. Meléndez, Jr.
Mary Lupien (*voted against Int. No. 339, Int. No. 341 and Int. No. 357*)
Mitch Gruber
LaShay D. Harris
Willie Lightfoot
Stanley Martin (*voted against Int. No. 339, Int. No. 341 and Int. No. 357*)
Michael Patterson
Jose Peo
Kim Smith
PUBLIC SAFETY COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-278
Re: Agreement – LexisNexis, Motor
Vehicle Accident Records
Management

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with LexisNexis Claims Solutions Inc., (LexisNexis), (William S. Madison, Executive Vice President), Alpharetta, GA., for the management of motor vehicle accident records. There is no cost to the City for this service.

Through this agreement, LexisNexis will continue to:

- Process online requests for Rochester Police Department motor vehicle accident (MVA) reports with no charge to the City.
- Provide electronic copies of MVA reports, via the internet, to confirmed involved parties at no cost.
- Provide an electronic copy of the MVA reports, via the internet, to insurance companies and unconfirmed involved parties where the name on the credit card does not match anyone who was involved in the accident.
- Collect a \$5.00 fee from insurance companies and unconfirmed involved parties for each report on behalf of Rochester Police Department and a convenience fee for LexisNexis.
- Remit to the City the \$5.00 fee collected for each MVA report sold.

Paper copies of MVA reports will still be available at \$0.25 per page for citizens that prefer this over electronic versions.

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

The term of this agreement will be for one year with the option to renew for three additional one-year periods. The previous agreement was approved by Ordinance No. 2018-278 in August 2018.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-163

Ordinance No. 2022-278
(Int. No. 338)

Authorizing an agreement for motor vehicle accident records management

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 LexisNexis Claims Solutions Inc. to provide motor vehicle accident records management services. The agreement shall not obligate the City to make any payment. The agreement shall have a term of one year with the option to renew for up to 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. 2022-279
Re: Agreement – Rochester City School
District, Traffic and Crowd Control
Services

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong neighborhoods

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

RCSD has requested assignment of Police Officers on a reimbursable overtime basis for traffic and crowd control, or an events sponsored in part or in full by RCSD, such as football games, basketball games, graduation ceremonies, proms, and school dances. The agreement will provide for reimbursement by RCSD of the cost of these services, up to a maximum of \$50,000 during fiscal year 2022-23.

The term of the agreement is July 1, 2022 through June 30, 2023. The previous agreement was approved by Ordinance No. 2021-413 in December 2021.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-279
(Int. No. 339)

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

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District (RCSD) in the maximum amount of \$50,000 to reimburse the City for traffic and crowd control services provided by the Rochester Police Department at events sponsored by the RCSD. The term of the agreement shall be from July 1, 2022 through June 30, 2023. The anticipated reimbursements from the RCSD under the agreement are hereby appropriated for the costs of providing such traffic and crowd control services.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

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

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

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-280

Re: Amendatory Agreement – University of
Rochester, Fitness for Duty Clinical
Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the University of Rochester, Department of Psychiatry, for additional funding for Dr. Robert Weisman to provide clinical services related to psychological fitness for duty for the Rochester Police Department (RPD). The original agreement was authorized by Ordinance No. 2021-333 for a term of one year, expiring on October 31, 2022, with the option to renew for three additional terms of one year, with a maximum annual compensation of \$50,000. This amendment will increase the maximum annual compensation to \$80,000, which will continue to be funded from the 2022-23 Budget of the Police Department.

Dr. Weisman provides fitness for duty psychological evaluations for law enforcement officers who have experienced a duty-related injury or trauma, as well as non-duty-related mental health issues. Evaluations include an assessment of the officer's psychological ability to return to work, a determination of work-related causality, and management of care for duty-related psychological conditions. Additional funding is needed because of the increased number of Police Officers being evaluated due to high stress levels that negatively impact their physical and mental wellbeing.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-280
(Int. No. 340)

Authorizing an amendatory agreement relating to fitness for duty clinical services for the Rochester Police Department

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with the University of Rochester, Department of Psychiatry, to provide clinical fitness for duty evaluations for personnel of the Rochester Police Department. The amendatory agreement shall modify the existing agreement that was authorized by Ordinance No. 2021-333 to increase the maximum annual compensation by \$30,000 to a new total of \$80,000. The \$30,000 in amendatory compensation for the initial one-year term shall be funded by the 2022-23 Budget of the Police Department. The amendatory

compensation for the subsequent optional terms of the agreement shall be funded from the same years' budgets as provided for the original compensation in Ordinance No. 2021-333.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-281
Re: Governor's Traffic Safety Committee,
2023 Pedestrian Safety Enforcement
and Education Program

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the receipt and use of \$54,600 from the New York State Governor's Traffic Safety Committee (GTSC) for a New York State Highway Safety grant, and amending the 2022-23 Budget of the Police Department by this amount. The term of the grant is October 1, 2022 through September 30, 2023.

GTSC provides this funding to support the Police Department's Pedestrian Safety Enforcement and Education Program, the goal of which is to reduce the number of vehicle crashes, injuries and deaths, with a focus on pedestrian-involved vehicle accidents. The program includes an educational component which will utilize officers from the Community Relations Unit and Traffic Enforcement Unit to disseminate safety information and inform the public of the program; much of this activity will coincide with the annual GTSC "Operation See! Be Seen!" campaign in June 2023. Traffic enforcement details will be run with a focus on four roadway corridors (10.7 miles of roadway) that have resulted in a disproportionate number of the City's pedestrian-involved crashes in recent years:

- Dewey Avenue, from Driving Park Avenue to Bennington Drive
- Lake Avenue, from Lyell Avenue to Denise Road
- Lyell Avenue, from Mt Read Boulevard to State Street/Lake Avenue
- North Clinton Avenue, from Upper Falls Boulevard to Norton Street

The grant will be used to pay for police overtime for the enforcement details (\$50,600), but does not pay for the associated fringe cost (\$18,616). Travel and registration for conference costs are also covered by the grant (\$4,000).

This is the third time the Police Department has received this grant. No matching funds are required.

Respectfully submitted,
Malik D. Evans
Mayor

Authorizing a funding agreement and amending the 2022-23 Budget for the 2023 Pedestrian Safety Enforcement and Education Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Governor’s Traffic Safety Committee (GTSC) for receipt and use of a 2023 New York State Highway Safety Program grant of \$54,600 to support the 2023 Pedestrian Safety Enforcement and Education program (Program). The term of the agreement shall be from October 1, 2022 through September 30, 2023.

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

Section 3. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the amount of \$54,600, which amount is hereby appropriated for the Program from the GTSC grant authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

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

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

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-282
Re: Inter-municipal Agreement – Monroe
County, Explosives Storage

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County and the Monroe County Sheriff’s Office (MCSO) for the Rochester Police Department’s (RPD’s) use of the County facilities, at no cost, for storage of explosives.

Monroe County maintains and monitors a secure space in the Town of Chili for the storage of bulk explosives and explosives evidence. Co-locating RPD’s storage bunkers, explosives, and explosives evidence at the County site provides several benefits for both agencies, including inter-agency cooperation; the immediate availability to each organizations’ inventory in the event of an emergency; and maximized security which ensures greater monitoring of RPD’s inventory.

The term of this agreement is October 1, 2022 through September 30, 2023, with the option to renew for two additional one-year periods. The previous agreement was approved by Ordinance No. 2019-290 in September 2019.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-282
(Int. No. 342)

Authorizing an intermunicipal agreement with the County of Monroe for explosives storage

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 and the Monroe County Sheriff's Office to enable the Rochester Police Department to use the Sheriff's Office's explosives storage facility. The term of the agreement shall be for one year, with the option to extend for up to two periods of one year 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. 2022-283
Re: Agreement — Urban League of
Rochester

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to funds for Pathways to Peace from the Urban League of Rochester. This legislation will:

- 1) Authorize an agreement with the Urban League of Rochester, N.Y., Inc. (Dr. Seanelle Hawkins, CEO, Rochester, NY) for the receipt and use of \$228,000 over a three year term.
- 2) Amend the 2022-23 Budget of the Office of the Mayor by \$50,000, and amend the 2022-23 Budget of Undistributed Expenses by \$26,000 for the first year of expenses. Remaining funds will be included in the 2023-24 and 2024-25 Budgets of the Office of the Mayor and Undistributed Expenses.

The Urban League of Rochester (ULR) has been awarded a \$2 million grant from the US Department of Labor to support its Growth Opportunities Program. The program prepares justice-involved young adults ages 18 to 24 for entry into the workforce through job placement and paid work experiences. Services include case management, occupational training in construction, advanced manufacturing and food service, high school equivalency preparation, work experience placements, mentoring, supportive services, and leadership development.

This agreement with ULR provides funding for one City of Rochester Pathways to Peace Youth Intervention Specialist to provide conflict resolution and violence prevention programming for the Growth Opportunities Program. This program aims to combat gun violence prevalence within the City of Rochester and support public safety and community well-being. In doing so, the ULR will help reduce gun violence and other violent crimes, introduce and prepare youth and young adults for the workforce, help identify career interests for youth, and assist youth to attain the relevant skills and work experience to obtain high-quality jobs and careers.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-283
(Int. No. 354)

Authorizing an agreement and amending the 2022-23 Budget relating to Pathways to Peace

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 Urban League of Rochester, N.Y., Inc. for the receipt and use of \$228,000 to provide conflict resolution and violence prevention programming for the Growth Opportunities Program of Pathways to Peace (Program). The term of the agreement shall be three years.

Section 2. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Office of the Mayor by the amount of \$50,000 and of the Budget of Undistributed Expenses by \$27,000, which amounts are hereby appropriated for the Program.

Section 3. The agreement shall have 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. 2022-284
Re: Receipt and use of funding from the US
Department of Justice/Organized Crime
Drug Enforcement Task Forces (OCDETF)

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the receipt and use of \$95,300 from the US Department of Justice/Organized Crime Drug Enforcement Task Forces (OCDETF) for the purchase of equipment.

OCDETF has approved reimbursement for the purchase of specific equipment for use by the Greater Rochester Area Narcotics Enforcement Team (GRANET). This equipment includes a x-ray imaging system, Cellebrite premium as a Service Pro package, and binoculars.

The handheld x-ray imager enables users to quickly and cost-effectively find concealed narcotics, bulk explosives, and contraband through automotive body panels, upholstery, drywall, and a wide variety of other materials. The cost for the purchase of this device is approximately \$52,100.

Cellebrite Premium as a Service Pro package is technology that assists investigators with gaining access, with a warrant signed by a judge, into locked cell phones during an investigation. Information contained within these phones has proven vital by providing direct evidence that helps Investigators solve murders, fatal overdoses, and other violent crimes. This technology will allow RPD to obtain this vital information quickly, which can lead to arrests and prevent further violence from occurring in the City. The annual cost of this service is approximately \$42,400. The funds from OCDETF will pay for one year. After the one year, RPD will determine if the service should be continued and funds allocated in future Operating Budgets.

The remaining funds of \$800 will be used to purchase binoculars. These binoculars will assist investigators with surveillance of individuals involved in illegal activity from a distance in both daylight and dark conditions.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-284
(Int. No. 357)

Authorizing the receipt and use of United States Department of Justice funds to equip the Greater Rochester Area Narcotics Enforcement Team

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

Section 1. The Council hereby authorizes the receipt and use of up to \$95,300 from the United States Department of Justice (USDOJ) through its Organized Crime Drug Enforcement Task Forces program, which amount is hereby appropriated to acquire equipment for the Greater Rochester Area Narcotics Enforcement Team (GRANET). The Mayor is hereby authorized to enter into such agreements and to execute such documents as USDOJ may require to allow the City to use the funds for equipping GRANET.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

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

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

Motion to discharge Int. No. 352

Moved by Councilmember Harris; 2nd by Vice President Lupien.

Motion to discharge passed unanimously.

Motion to amend Int. No. 352

Moved by Councilmember Patterson; 2nd by Councilmember Harris

Motion to amend passed unanimously.

Motion to discharge Int. No. 352-A

Moved by Councilmember Patterson; 2nd by Vice President Lupien.

Motion to amend passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-285

Ordinance No. 2022-286

Re: Body Worn Cameras and Digital
Evidence Management System
Agreement, Bond Authorization
Forfeiture Fund Appropriation and
Budget Amendment

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the replacement of the Rochester Police Department (RPD) Body Worn Cameras and implementation of a Digital Evidence Management System (DEMS). This legislation will;

1. Authorize the issuance of \$2,020,000 in bonds and appropriate the proceeds thereof to finance a portion of the purchase of a new Body Worn Camera system and implement a new Digital Evidence Management System;
2. Appropriate the receipt and use of \$500,000 from federal forfeiture funds generated by the Police Department and amending the 2022-23 Cash Capital Budget by this amount; and
3. Authorize an agreement with Insight Public Sector, Inc. of Chandler, Arizona (Joyce Mullen, President and CEO) for the provision of new BWC equipment and design and implementation of a new digital evidence management system (DEMS). The term of this agreement will be five years. Maximum compensation for this agreement will be \$3,834,455.85 which will be funded by:
 - a. \$2,020,000 in bonds appropriated in section 1 herein;
 - b. \$500,000 in forfeiture funds appropriated to Cash Capital in section 2 herein; r n o
 - c. \$370,000 in 2020-21 Cash Capital;
 - d. \$525,000 in 2022-23 Cash Capital; and
 - e. \$419,455.85 from the 2022-23 Police Department Budget.

RPD has a critical need to transition from a single function storage system to a full digital evidence-management system (DEMS) to store, retrieve and manage all video data from the BWC's.' Blue Light camera system, secure interview rooms, and the City's building security camera systems. The city released a Request for Proposals (RFP) in June, 2021. Seven vendors submitted proposals, four of which were selected r

demonstration presentations. The remaining three finalists were selected for a final meeting to address technical specifications. The proposal from Insight Public Sector, Inc. was chosen as it provided a best-in-class hardware and software solution that blended Genetec's Clearance digital evidence management system with Panasonic's iPro body-worn cameras. The vendor selection form is included.

Insight Public Sector, Inc. was invited to demonstrate the efficacy of the BWC and DEMS solutions during a pilot program. During the week of April 18-22, 2022 Insight Public Sector, Inc. was onsite in Rochester with the hardware manufacturer iPro Technologies (formerly a division of Panasonic USA) to begin the patrol vehicle installation and training on the new camera. Additionally, the software supplier Genetec provided end-user training on their DEMS system. All phases of current and proposed workflow were tested to the satisfaction of RPD during the pilot phase.

The pricing structure of the agreement is based on a BWC and DEMS solution that would include the initial purchase of all BWC equipment and supplementary hardware, the migration of 450 terabytes of existing data, the initiation of the DEMS application, deployment services, and all associated training and support.

One of the recommendations of the City's Community Response to Executive Order 203 Police Reform and Reinvention Collaborative included improving the use of body-worn cameras. RPD and the Administration believes selecting Insight Public Sector, Inc. to provide new BWC and DEMS to be a key step in moving forward in achieving this reform.

This appropriation of federal forfeiture funds will result in a balance of approximately \$759,900.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-164

Ordinance No. 2022-285
(Int. No. 352, as amended)

Authorizing an agreement for body worn cameras and a digital evidence management system for the Rochester Police Department

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

Section 1. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to Cash Capital by the sum of \$500,000, which amount is hereby appropriated from Federal funds realized from seized and forfeited assets.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Insight Public Sector, Inc. to provide body worn camera (BWC) equipment and to design and implement a digital evidence management system for the Rochester Police Department for a term of five years. The maximum compensation shall be \$3,834,455.85, which shall be funded in the amounts of:

\$2,020,000 in the proceeds of bonds appropriated in a concurrent bond ordinance;
\$500,000 in forfeiture funds appropriated to 2022-23 Cash Capital in section herein;

\$370,000 in 2020-21 Cash Capital;
\$525,000 in 2022-23 Cash Capital; and
\$419,455.85 from the 2022-23 Budget of the Police Department.

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

Section 4. The Mayor will engage the Police Accountability Board to succeed in the role played by the Coalition for Police Reform (CPR) as set forth in CPR's November 2017 Memorandum of Understanding with the City of Rochester.

Section 5. The Rochester Police Department will implement a Privacy Impact Assessment (PIA) for the BWC program drawing upon US Department of Justice recommendations for local government PIAs.

Section 4-6. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2022-286
(Int. No. 352-A)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,020,000 for body worn cameras and a digital evidence management system for the Rochester Police Department

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 acquiring body worn camera equipment and of designing and implementing a digital evidence management system for the Rochester Police Department (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 \$3,834,455.85. The plan of financing includes the issuance of \$2,020,000, which amount is hereby appropriated therefor, \$370,000 in 2020-21 Cash Capital, \$1,025,000 in 2022-23 Cash Capital, \$419,455.85 from the 2022-23 Budget of the Police Department 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 \$2,020,000 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 \$2,020,000. 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. 32 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) 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 Deputy 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.

By Councilmember Harris
September 20, 2022

To the Council:

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

Int. No. 343 Authorizing an agreement and amending the 2022-23 Budget relating to the Drum Corps Associates World Championship

- Int. No. 344 Authorizing an agreement for athletic skill development and academic support services
- Int. No. 345 Authorizing agreements for veterinary services
- Int. No. 346 Authorizing an intermunicipal agreement relating to the Flower City Public Health Corps program
- Int. No. 347 Authorizing an agreement relating to the Emergency Response Outreach mobile unit

Respectfully submitted,
LaShay D. Harris
Willie J. Lightfoot (*absent*)
Stanley Martin
Mary Lupien
Miguel A. Meléndez Jr.

RECREATION & HUMAN SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-287
Re: Agreement – Greater Rochester
Visitors Association, Inc., Drum Corps
Associates World Championship

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Drum Corps Associates World Championship to be held at the Rochester Community Sports Complex. This legislation will:

1. Authorize an agreement with Greater Rochester Visitors Association, Inc., dba Visit Rochester, NY (Don Jeffries, CEO, Rochester, NY) for the receipt and use of \$18,343 in support of the three-day Drum Corps Associates World Championship event to be held on September 2-4, 2022. The Term of this agreement will be for 6 months.
2. Amend the 2022-23 Budget of the Department of Recreation and Human Services by \$18,400 to reflect this sponsorship.

The funds provided to the City by Visit Rochester will be used to support a portion of the event expenses including box office, security, and emergency medical services. Drum Corps Associates (DCA) is a governing body for modern all-age and senior drum and bugle corps in North America. DCA's responsibilities include sanctioning competitions, certifying adjudicators, maintaining and enforcing rules of competition, and hosting an annual World Championship during Labor Day weekend. Rochester will host this event in 2022 and 2023. The three-day event, will feature a variety of exciting performance mediums and stages

across Friday, Saturday and Sunday of Labor Day weekend. In 2016 and 2017 over 10,000 people attended the event throughout the weekend long event.

Visit Rochester is the official tourism promotion agency for Monroe County. Their mission is to sell and market Greater Rochester as a preferred destination—for business and leisure travel—in order to grow and maximize visitor spending and to enhance the economy. Tourism plays a major role in the economy of Monroe County as well as the entire Finger Lakes region. To this end, Visit Rochester builds and maintains relationships with hundreds of organizations and businesses in the community that work to attract visitors to Monroe County, in turn growing the overall economic impact of the tourism and hospitality industry in the county and the Finger Lakes region as a whole. The membership-based organization with more than 400 members that represent local lodging, retail, restaurants, services, and community organizations that all strive to provide the best visitor experience.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-287
(Int. No. 343)

Authorizing an agreement and amending the 2022-23 Budget relating to the Drum Corps Associates World Championship

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 Greater Rochester Visitors Association Inc. for the City's receipt and use of a grant of \$18,343 to support the three-day Drum Corps Associates World Championship (Program). The term of the agreement shall extend for six months.

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

Section 3. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Department of Recreation and Human Services by \$18,400, which amount is hereby appropriated for the Program.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-288
Re: Agreement – Mitchell Harris dba
Hoop N Holla – Athletic Skill
Development & Academic Support

Council Priority: Creating and Sustaining
a Culture of Vibrancy; Support the Creation of

Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation establishing \$16,000 as maximum annual compensation for an agreement with Mitchell Harris dba Hoop N Holla (Rochester, NY) to provide NCAA Compliance & Academic Monitoring and Support, Sports IQ Training, and Athletic Skill Development for City youth at the Rochester Community Sports Complex. The program will run from September 2022 – June 2023 and the term of the agreement will be one year, with the option to renew for two additional one-year periods. The cost of this agreement will be funded from the 2022 -2023 Budget of the Department of Recreation and Human Services (DRHS) and subsequent renewals will be funded at \$16,000 maximum annual compensation from the future budgets of DRHS contingent upon approval.

Mitchell Harris has more than 20 years of coaching experience in the Rochester area and has provided instruction at DRHS youth sports summer camps and clinics since 2017. Under this agreement, Harris will provide a 15 hour a week curriculum for advanced athletes in grades 6-12 at the Rochester Community Sports Complex. As a pilot, this program served more than a 100 students in the 2021-2022 school year and we anticipate that attendance will increase this year with the assistance of the RCSD and local charter schools.

Mitchell Harris was selected for these services based on our past and current collaborations. This was last authorized by Council via Ordinance No. 2021-366. A full justification for not issuing a request for proposals is attached.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-165

Ordinance No. 2022-288
(Int. No. 344)

Authorizing an agreement for athletic skill development and academic support services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Mitchell Harris d/b/a Hoop N Holla to provide NCAA compliance and academic monitoring and support, sports IQ training, and athletic skill development for City youth. The term of the agreement shall extend for one year with the option to extend for two additional periods of one year each. The maximum annual compensation for the agreement shall be \$16,000, which shall be funded from the 2022-23 Budget of the Department of Recreation and Human Services (DRHS) for the initial term and from subsequent years' Budgets of DRHS, contingent upon approval, for any extensions of the term.

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. 2022-289
Re: Agreements – Veterinary Services for
Animal Services

Council Priority: Creating & Sustaining
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted for your approval is legislation related to veterinary services agreements for Rochester Animal Services (RAS). This legislation will:

1. Authorize \$20,000 as maximum compensation for an agreement with Dr. Andrew Newmark, DVM. The term of the agreement will be for one year. The cost of the agreement will be funded from an appropriation from the Animal Services Gifts Fund.
2. Authorize \$4,000 as maximum compensation for an agreement with Pathway Vet Alliance LLC d/b/a Animal Emergency Services (Stefanie Box, General Counsel, Rochester, NY). The term of the agreement will be for one year. The cost of the agreement will be funded from the 2022-23 Budget of the Department of Recreation and Human Services. Council authorization is required for this agreement as there is an existing \$68,000 agreement for spay and neuter services with this vendor.

RAS maintains a perennial agreement with Pathway Vet Alliance LLC d/b/a Animal Emergency Services for after-hours and emergency veterinary care. Additionally, RAS utilizes agreements with outside veterinarians and veterinary technicians to increase surgical capacity, improve customer service, and provide veterinary coverage during the absence of the regular veterinarian and veterinary technicians. The consultants will provide on-site veterinary services including, but not limited to: examinations, treatments, vaccinations, and the surgical sterilization of animals in custody at the Animal Services Center on Verona Street. The consultants may also provide surgical sterilization on animals owned by city residents. Each consultant will provide services on an as needed basis.

Justifications for not issuing RFPs are attached.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-166

Ordinance No. 2022-289
(Int. No. 345)

Authorizing agreements for veterinary services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Andrew Newmark, DVM for veterinary services for Rochester Animal Services. The term of the agreement shall be one year. The maximum compensation for the agreement shall be \$20,000, which amount is hereby appropriated from the Animal Services Gifts Fund for that purpose.

Section 2. The Mayor is hereby authorized to enter into an agreement with Pathway Vet Alliance LLC d/b/a Animal Emergency Services for after-hours emergency veterinary care services for Rochester Animal Services. The maximum compensation for the agreement shall be \$4,000, which shall be funded from the 2022-23 Budget of the Department of Recreation and Human Services. The term of the agreement shall be one year.

Section 3. The agreements authorized herein shall have 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. 2022-290
Re: Inter-Municipal Agreement –
Monroe County Department of
Health, Flower City Public Health
Corps

Council Priority: Job and Economic
Development; Support the Creation and
Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation authorizing an agreement with the County of Monroe in regards to the Flower City Public Health Corps (FCPHC) program. This agreement will allow two (2) FCPHC members to serve in the Monroe County Department of Public Health. The term of this agreement will be from October 1, 2022 – December 31, 2023, the length of the members’ service term. There are no funds exchanged in this agreement.

The Flower City Public Health Corps program, approved by Council on July 19, 2022 via Ordinance No. 2022-227, is a new program with the goal to advance more equitable health outcomes and meet the needs of our community by providing needed capacity and support in various community and governmental locations. Another goal is to provide pathways to public health related careers by providing exposure through onsite experience, training, and more. Specifically, the members serving in the County of Monroe’s Department of Public Health will be serving in the Nurse-Family Partnership program. They will be working with the Nurse

Home Visitor and families in that program to help meet the families' health wellness goals by referring families to various community resources.

This is the first time for this agreement.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-290
(Int. No. 346)

Authorizing an intermunicipal agreement relating to the Flower City Public Health Corps program

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe to allow two members of the Flower City Public Health Corps program to serve in the Monroe County Department of Public Health. The term of the agreement shall be 15 months. The agreement shall require no exchange of funds between the parties.

Section 2. The agreement authorized herein shall have 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. 2022-291
RE: Agreement – United States Health
Resources and Services Administration,
Mobile Unit for Crisis Intervention
Services

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement for the receipt and use of a \$225,000 Congressionally Directed Spending award from the United States Health Resources and Services Administration (HRSA) and appropriating the funds herein. The award will be used for an Emergency Response Outreach mobile unit for the Department of Recreation and Human Services' (DRHS) Crisis Intervention Services (CIS) Unit. DRHS has been given until July 31, 2025 to expend the funds.

This one-time use of funds will be to purchase an Emergency Response Outreach Vehicle, a specially-outfitted bus for use by the CIS Unit when responding to emergencies and providing direct services to victims of crimes, people in crisis, and their families.

Often times, families of homicide victims, victims of violence, and people in crisis need a safe place, away from the elements, media, and/or others, to mourn and process their trauma. This mobile unit will allow for this space, especially with it being mobile, it can be at scenes throughout the City of Rochester to meet residents where they are located at the time of crisis. DRHS may also expand the use of the mobile unit for general use for the department, including for workforce development-related programming.

This is the first time the City has received this one-time use of funds.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-291
(Int. No. 347)

Authorizing an agreement relating to the Emergency Response Outreach mobile unit

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Health Resources and Services Administration for the receipt and use of a grant of \$225,000 to fund the purchase of an Emergency Response Outreach mobile unit for the Department of Recreation and Human Services (DRHS) Crisis Intervention Services (CIS) unit. The term of the agreement shall extend to July 31, 2025.

Section 2. The agreement shall have 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 8:04 pm.

HAZEL L. WASHINGTON
City Clerk