

ROCHESTER CITY COUNCIL

REGULAR MEETING

December 20, 2022

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

THE COUNCIL PRESIDENT --- REQUEST COUNCIL TO PAUSE FOR A MOMENT OF SILENCE.

THE COUNCIL PRESIDENT --- PLEDGE OF ALLEGIANCE TO THE FLAG.
Councilmember Gruber

THE COUNCIL PRESIDENT --- RECOGNITION CEREMONIES.

Retirement:

DES:

John F. Barber, Jr.
John Gaudio
Ricardo Matos
James McCullough

LIBRARY:

Marilyn Selim
Maryjane Wright

RFD:

Joseph Hogan
Michael Sauer

RPD:

Brian Phillips
Laszlo Tordai

APPROVAL OF THE MINUTES
By Councilmember Patterson

RESOLVED, that the minutes of the Regular Meeting on November 15, 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 for October 2022

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

The Council submits Disclosure of Interest Forms from **Councilmember** Patterson on Int. No. 437, **Councilmembers** Gruber and Martin on Int. No. 460 and **President** Meléndez on Int. No. 447.

THE COUNCIL PRESIDENT – PRESENTATION AND REFERENCE OF PETITION AND OTHER COMMUNICATION

Petition to remove Planned Parenthood from Mayor’s Anti-Violence Project Funding

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, a public hearing was held on December 15, 2022 on the following matters:

Local Law amending City Charter Section 5-3 with respect to Council District Boundaries Int. No. 434

No Speakers:

Amending the Zoning Map by changing the zoning classification of 2120 St. Paul Street Int. No. 440

No speakers

Amending the Zoning Map by changing the zoning classification of 30, 35, 64, 65 and 68 Luther Circle Int. No. 441

No speakers

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

By President Meléndez

President Meléndez introduced a motion to consider Int. No. 461 without referring to a committee. Motion to consider passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Patterson - 5

Nays – Vice President Lupien, Councilmembers Martin, Peo, Smith - 4.

President Meléndez introduced a motion to hold Int. No. 461; 2nd by Councilmember Smith. Motion passed unanimously.

President Meléndez introduced a motion to consider Introductory Nos. 462, 463 and 464 without referring to a committee.

Motion to consider Int. Nos 462, 463 and 464
Passed by the following vote:

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

Nays - Councilmembers Martin, Smith - 2.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2022-48
Resolution No, 2022-49
Resolution No. 2022-50
Re: Police Accountability Board
— Training, Hiring and
Spending Reforms

Transmitted herewith for your approval are three resolutions pertaining to the Police Accountability Board (PAB) and its staff. These resolutions will:

- Require that the Executive Director and other PAB staff, which in an accompanying proposed Local Law are proposed to be redesignated as the Office of Police Accountability perform all training that is mandated by their status as City employees, as well as all training required of PAB staff by Charter § 18-7A, or face dismissal.
- Continue through to the end of the fiscal year (June 30, 2023), the moratoriums on staff hiring and budget expenditures approved in May 2022 (Resolution No.2022-27). The PAB and its staff will not be allowed to hire new staff or spend budgeted funds without the prior approval of the Council President or their designee.
- Provides for reappropriating for other community needs funds presently appropriated to the PAB in the 2022-23 Budget. It is anticipated that funds budgeted to the PAB will remain unspent in this fiscal year. This resolution authorizes Council to reappropriate unspent funds from the PAB's 2022-23 Budget among the following community needs only: (1) **Housing & Homelessness**; (2) **Substance Abuse Treatment**; (3) **Mental Health**; and (4) **Public Safety & Violence**.

Respectfully submitted,
Miguel A. Meléndez, Jr.
President

Resolution No. 2022-48
(Int. No. 462)

Resolution mandating training requirements for the Police Accountability Board and its staff

WHEREAS, due to complaints by personnel of the Police Accountability Board (PAB) that raised questions regarding the lawful and appropriate functioning of the PAB as an agency, during a special meeting held on May 19, 2022, this Council approved Ordinance No. 2022-145 authorizing the hiring of the Constangy Brooks law firm as outside counsel to investigate and to report upon the personnel complaints against the PAB (Counsel's Report); and

WHEREAS, the Counsel's Report issued on November 16, 2022 revealed numerous violations of the City's personnel, ethics, and PAB training requirements and included among its recommendations prioritizing and enforcing the training requirements for PAB board members and staff.

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

Section 1. The Police Accountability Board (PAB), its Executive Director, and its staff are notified and reminded that they are required to satisfy training requirements with regard to City personnel practices and policies as administered by the Department of Human Resource Management, as well as training requirements specific to the PAB and its staff as set forth in City Charter § 18-7A. Each PAB Boardmember, Executive Director and PAB staff member is hereby directed to complete all training requirements that remain incomplete and to redo any DHRM training requirements previously completed.

Section 2. The failure to complete training requirements by June 30, 2023 shall be deemed grounds to remove or refrain from appointing any Boardmember or the Executive Director, as well as grounds for terminating the employment of any PAB staff member.

Section 3. This resolution shall take effect immediately.

Adopted by the following vote:

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

Nays - Councilmembers Martin, Smith - 2.

Resolution No. 2022-49

(Int. No. 463)

Resolution extending the temporary direct Council supervision over staff hiring and expenditures relating to the Police Accountability Board

WHEREAS, due to complaints by personnel of the Police Accountability Board (PAB) that raised questions regarding the lawful and appropriate functioning of the PAB as an agency, during a special meeting held on May 19, 2022, this Council:

- a. approved Ordinance No. 2022-145 authorizing the hiring of the Constangy Brooks law firm as outside counsel to investigate and to report upon the personnel complaints against the PAB (Counsel's Report); and
- b. approved Resolution No. 2022-27, which, commencing immediately and continuing until the completion of Counsel's Report, directed the PAB to refrain from hiring and to refrain from making expenditures (other than for the salary and benefits of existing employees) without the prior approval of the Council President.

WHEREAS, the Counsel's Report was completed and issued on November 16, 2022;

WHEREAS, in addition to reporting on the investigation that revealed numerous violations of the City's personnel, ethics, and PAB training requirements, the Counsel's Report lists a series of recommendations intended to remedy the violations and prevent repeat violations going forward (Recommendations); and

WHEREAS, the Council concludes that its oversight of the PAB's hiring and spending should continue through to the end of the current fiscal year in order to make sure that the PAB is ramping up its investigation, hearing, decision-making and advisory functions to the maximum extent feasible consistent with PAB's implementation of those Recommendations that the Council, in consultation with the Department of Human Resource Management, Office of Management and Budget and the Law Department, deems necessary.

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

Section 1. Commencing immediately and continuing until June 30, 2023, the Police Accountability Board and the Executive Director shall not hire any new or additional personnel without the prior approval of the Council President.

Section 2. Commencing immediately and continuing until June 30, 2023, the PAB and its staff shall make no expenditure without the prior approval of the Council President, provided, however, that the prior approval of the President shall not be required for paying the salary and providing the benefits to the PAB's existing employees.

Section 3. This resolution shall take effect immediately.

Adopted by the following vote:

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

Nays - Councilmembers Martin, Smith - 2.

Resolution No. 2022-50
(Int. No. 464)

Resolution allocating unspent the Police Accountability Board funds to community needs

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

Section 1. The Council hereby resolves that any funds appropriated to the 2022-23 Budget of City Council & Clerk for the Police Accountability Board (PAB) that are anticipated to remain unspent at the end of the present fiscal year can only be appropriated to the following four community need categories (Community Needs) in amounts and shares to be determined and approved by the Council in subsequent legislation:

- a. Housing & Homelessness;
- b. Substance Abuse Treatment;
- c. Mental Health; and
- d. Public Safety & Violence.

Section 2. The Council hereby directs its staff to assist in the preparation of the Community Needs appropriations authorized herein by consulting with the Office of Management & Budget, the Department of Finance, the Department of Neighborhood and Business Development, the Department of Recreation and Human Services, the Police Department, the Fire Department, the Office of Mayor, any other appropriate City agency or official, or outside providers of Community Needs to obtain a conservative estimate of the amount of budgeted 2022-23 PAB funds likely to remain unspent at the end of the fiscal year (Unspent Funds) and to identify a variety of Community Needs projects, programs or facilities that would benefit the community with an appropriation of Unspent Funds.

Section 2. This resolution shall take effect immediately.

Adopted by the following vote:

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

Nays - Councilmembers Martin, Smith – 2.

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

By Councilmember Gruber
December 20, 2022

To the Council:

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

- Int. No. 424 Authorizing an agreement for the administration of flexible benefit plans
- Int. No. 425 Authorizing an agreement for COBRA administration and Retiree Dental Billing services
- Int. No. 426 Appropriating American Rescue Plan Act Funds and authorizing amendatory agreements related to Accounts Receivable and Utility Billing software
- Int. No. 427 Authorizing an amendatory lease agreement for the Rochester Museum & Science Center
- Int. No. 428 Authorizing an agreement for dental plan administration services
- Int. No. 429 Authorizing an amendatory agreement relating to the Enterprise Process and System Solution for Human Resource Management and Payroll
- Int. No. 430 Authorizing intermunicipal and amendatory agreements related to the implementation of recommendations in the Racial and Structural Equity (RASE) Report
- Int. No. 431 Authorizing an agreement related to production of Party in the Park
- Int. No. 432 Amending the 2022-23 Budget for wage and salary increases
- Int. No. 433 Authorizing an agreement relating to the Rochester Summer Soul Music Festival
- Int. No. 435 Resolution adopting the Rules of Council

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

- Int. No. 434 Local Law amending City Charter Section 5-3 with respect to Council District Boundaries

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

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2022-359
Agreement – Lifetime Benefit
Solutions, Inc. - Flexible
Benefit Plans

Council Priority: Deficit Reduction
and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$294,000 as maximum compensation for an agreement with Lifetime Benefit Solutions, Inc. (Patricia Mooney, President) for administration of the Flexible Spending Accounts (FSA), Parking/Transit Reimbursement Accounts (PTRA), and remaining balances in previously-funded Health Reimbursement Accounts (HRA) for City employees. The agreement shall be in effect for three (3) years (1/1/23 – 12/31/25). Of said amount, \$49,000 shall be funded from the 2022-2023 Budget for Undistributed Expense, \$98,000 shall be funded from the 2023-2024 Budget for Undistributed Expense, \$98,000 shall be funded from the 2024-2025, and \$49,000 shall be funded from the 2025-2026 Budget for Undistributed Expense, contingent upon approval of future budgets.

Lifetime Benefit Solutions, Inc. has provided FSA and PTRA services for the City since 1992 and HRA services since 2009. The recommendation to continue with Lifetime Benefit Solutions is based on the following:

- ✓ Lifetime Benefit Solutions, Inc. currently administers the City’s flexible benefit plans including Medical Flexible Spending, Dependent Care Flexible Spending, Health Reimbursement Accounts, and Qualified Transportation Reimbursement Accounts;
- ✓ Lifetime Benefit Solutions, Inc. has provided exemplary services for City employees and retirees who participate in these benefit plans;
- ✓ Complex systems have been developed through the City’s Human Capital Management system (Workday) in order to automatically enroll and maintain employee accounts;
- ✓ City Accounts have been established that allow Lifetime Benefit Solutions, Inc. to handle payment of claims and administer banking for the plan’s debit cards

Lifetime Benefit Solutions, Inc. was selected for these services based on the City’s positive historical experience working with them and the extensive integrations that have been built to transfer data electronically. A full justification for not issuing a request for proposals is attached.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-213

Ordinance No. 2022-359
(Int. No. 424)

Authorizing an agreement for the administration of flexible benefit plans

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 Lifetime Benefit Solutions, Inc. for the administration of the Flexible Spending Accounts, for the Parking/Transit Reimbursement Accounts and for the remaining balances in previously-funded Health Reimbursement Accounts for City employees. The agreement shall have a term of three years.

Section 2. The maximum compensation for the agreement shall be \$294,000, which shall be funded in the amounts of \$49,000 from the 2022-23 Budget of Undistributed Expenses, \$98,000 from the 2023-24 Budget of Undistributed Expenses, \$98,000 from the 2024-25 Budget of Undistributed Expenses, and \$49,000 from the 2025-26 Budget of Undistributed Expenses, contingent upon the approval of the future years’ 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 unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-360
Re: Agreement - MVP Health Care, Inc. -
COBRA Administration and
Retiree Dental Billing Services

Council Priority: Deficit Reduction
and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$48,000 as maximum compensation for an agreement with MVP Health Care, Inc. (Christopher Del Vecchio, President & CEO) for COBRA Administration and Retiree Dental Billing Services. The agreement shall be in effect for three (3) years (1/1/23 – 12/31/25). Of said amount, \$8,000 shall be funded from the 2022-2023 Budget for Undistributed Expense, \$16,000 shall be funded from the 2023-2024 Budget for Undistributed Expense, \$16,000 shall be funded from the 2024-2025 and \$8,000 shall be funded from the 2025-2026 Budget for Undistributed Expense, contingent upon approval of future budgets.

COBRA (Consolidated Omnibus Budget Reconciliation Act) is regulated by both Federal and State law and provides continuation rights for group health coverage that otherwise might be terminated. COBRA ensures certain former employees, retirees, spouses, former spouses, and dependent children the right to temporary continuation of health coverage at group rates.

Administration of COBRA includes compliance with guidelines that require mailing notifications to potential and covered participants. These notifications inform participants of their rights to continuation coverage and are mailed when initially enrolled, when making changes to coverage and if/when coverage is lost. In addition, regulations include specific guidelines regarding the billing and premium collection process for enrollees.

This agreement also includes billing services for retirees enrolled in the City's dental plan. Employees who retire on or after 1/1/2020 are eligible to continue their dental coverage by paying a percentage of the premium. MVP will collect these contributions and remit funds to the City.

The recommendation to select MVP Health Care, Inc. for these services is based on the following:

- ✓ The rates they proposed were the lowest and are guaranteed for three (3) years;
- ✓ Their rates include full administration of the Federally-mandated COBRA process, including notifications, invoicing, collecting premiums and maintaining required logs of activity;
- ✓ The City has developed integrated systems with MVP Health Care, Inc. in order to provide seamless COBRA Administration and Retiree Dental Plan Billing Services.

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

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-214

Ordinance No. 2022-360
(Int. No. 425)

Authorizing an agreement for COBRA administration and Retiree Dental Billing 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 MVP Health Care, Inc. for administration services to comply with the Consolidated Omnibus Budget Reconciliation Act (COBRA) and for the administration of Retiree Dental Billing services. The maximum compensation for the agreement shall be \$48,000, which shall be limited to the amount of premiums collected from separated employees and retirees which can include an administrative fee for COBRA continuation coverage. The cost of the agreement shall be funded in the amount of \$8,000 from the 2022-23 Budget of Undistributed Expenses, \$16,000 from the 2023-24 Budget of Undistributed Expenses, \$16,000 from the 2024-25 Budget of Undistributed Expenses, and \$8,000 from the 2025-26 Budget of Undistributed Expenses, contingent on the approval of the future 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. 2022-361
Re: Appropriation - American Rescue
Plan Act and Amendatory
Agreements, Accounts Receivable
Enterprise Solution

Council Priority: Deficit Reduction
and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Growth

Transmitted herewith for your approval is legislation related to the use of American Rescue Plan Act (ARPA) funding to procure and implement an enterprise Accounts Receivable and Utility Billing software solution to replace three critical Mainframe systems. This legislation will:

1. Appropriate \$1,875,000 in ARPA funding to implement an enterprise Accounts Receivable and Utility billing software solution and procure the applicable software licensing for it.
2. Authorize an increase of \$760,015 to the maximum compensation for the Software as a Service (SaaS) agreements with Infor Public Sector, Inc. (Infor), [Kevin Samuelson, CEO, 641 Avenue of the Americas, New York, NY 10011] to a total of \$3,221,744. This increase will provide software licensing for the Utility Billing and Asset Management modules of Infor's Public Sector software suite. The term of the agreement is five years. The cost of this increase will be funded as follows:

- \$200,000 from ARPA funding as specified above
 - \$131,217 from prior year's Cash Capital
 - \$428,798 in total from future operating budgets of the department of Information Technology (\$214,399 from 2024-25 and \$214,399 from 2025-26), contingent upon future budget approval
3. Authorize an increase of \$2,300,760 to the maximum compensation of the professional services agreement with Visionary Integration Professionals, LLC (VIP) [Jonna Ward, CEO, 80 Iron Point Circle, Suite 100 Folsom, CA 95630] to a total of \$3,659,304. This increase will enable the provision of professional services for the implementation of the Infor Accounts Receivable Billing solution. The term of the agreement will be extended by 30 months to a total of four and a half years. The cost of this increase will be funded as follows:
- \$1,675,000 from ARPA funding as specified above
 - \$73,783 from prior year's Cash Capital, and
 - \$551,977 from 2023-24 Cash Capital, contingent upon future budget approval

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). The Accounts Receivable enterprise solution project was included in the City of Rochester's Strategic Equity and Recovery Plan, shared with City Council on September 29, 2021, and also in an updated plan shared at a Council Work Session on September 29, 2022. This project is an eligible use of ARPA funding under the Final Rule Expenditure Category 6.1 Provision of Government Services.

The funds will be used to extend the existing agreements with Infor Public Sector, Inc. and Visionary Integration Professionals, LLC to implement a replacement to the City's existing mainframe solution for Tax, Foreclosure, Water, Refuse, Loan, and Payments In Lieu of Tax (PILOT) Billing. The current mainframe solution is highly outdated, difficult to configure, and expensive to maintain, and replacement will greatly mitigate risk of business disruption due to failure of these aging systems.

The new solution will include enhanced workflow and processing capabilities for internal staff to improve the efficiency of operations, as well as offering enhanced online billing and payment functionality for customers to access invoices, make on-line payments, view payment history, and submit service requests. The implementation of these new modules will integrate directly into the City's current financial, accounts payable, and general ledger system thereby reducing the amount of manual work required and leading to more and accurate financial reporting.

Infor will provide software licensing and VIP will provide implementation services including project management, data migration, system configuration, process refinement, and end user training. A request for proposals was not issued for these services as Infor Public Sector serves as the City's current permitting, licensing, and code enforcement system and includes cashiering and financial configuration that is currently integrated with the City's financial system. VIP currently serves as the implementor for the existing Infor solutions in use at the City and has unique knowledge of the City's current configuration of the solution. The initial contracts with Infor Public Sector, Inc. and Visionary Integration Professionals, LLC for the Infor implementation were authorized by Council Ordinance 2021-265. It is anticipated that implementation of the new modules will begin in January 2023, and that the modules will be implemented in stages through January 2025. The balance of the appropriation will be included in future budgets of the Department of Information Technology, contingent upon their approval, for maintenance costs.

Respectfully submitted,
 Malik D. Evans
 Mayor

Ordinance No. 2022-361
 (Int. No. 426)

Appropriating American Rescue Plan Act Funds and authorizing amendatory agreements related to Accounts Receivable and Utility Billing software

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

Section 1. The Council hereby appropriates the sum of \$1,875,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund enterprise Accounts Receivable and Utility Billing software and the procurement of applicable software licensing thereof (the Project).

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

Section 3. The Mayor is hereby authorized to enter into an amendatory agreement with Infor Public Sector, Inc. to provide software licensing for the Project. The amendatory agreement shall modify the existing agreement that was authorized by Ordinance No. 2021-265 to increase the maximum compensation by \$760,015 to a new maximum total of \$3,221,744. The amendatory compensation shall be funded by \$200,000 from ARPA funding appropriated in Section 1 herein, by \$131,217 from Prior Years Cash Capital, by \$214,399 from the 2024-25 Budget of the Department of Information Technology (IT) and by \$214,399 from the 2025-26 Budget of IT contingent upon approval of said future budgets.

Section 4. The Mayor is hereby authorized to enter into an amendatory agreement with Visionary Integration Professionals, LLC to provide implementation of the Infor Accounts Receivable Billing solution authorized to be procured in Section 3 herein. The amendatory agreement shall modify the existing agreement that was authorized by Ordinance No. 2021-265 to increase the maximum compensation by \$2,300,760 to a new total of \$3,659,304 and shall increase the term by thirty months to total maximum term of 4 ½ years. The amendatory compensation shall be funded by \$1,675,000 from ARPA funding appropriated in Section 1 herein, by \$73,783 from Prior Years Cash Capital, and by \$551,977 from 2023-24 Cash Capital contingent upon approval of the future year's budget.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-362
Re: Amendment to Lease of Rochester
Museum and Science Center
Property

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing amendment of the lease agreement ("Lease") with the Rochester Museum and Science Center ("RMSC") for the property located at the southeast corner of East Avenue and Goodman Street at 657 East Avenue, ("the Property") which includes the Bausch Hall of History and Science and Strasenburgh Planetarium. The original lease for the Property was entered into on July 1, 1968 when the City transferred the operation and maintenance of the former City of Rochester Municipal Museum and leased the Property to the RMSC. A subsequent thirty (30) year lease, dated December

12, 1985 was authorized with the 657 Corporation, an entity established to allow the financing of the expansion and renovation of Bausch Hall.

A new lease was executed in 2011 because the RMSC needed to refinance the existing bonds and the refinancing would have triggered a termination of the 1985 lease. This new lease, modeled on the original 1968 lease, was for a one-year term, extended annually, and included amended language for increased insurance amounts, clarification about responsibility for utility costs and provisions for deaccession of City owned collections at the museum.

In 2019, RMSC was seeking state funding which required a fixed term lease and the City and RMSC amended the 2011 Lease to provide for a fifteen (15) year term ending 12/31/30, automatically renewed annually.

Now, again RMSC is seeking funding, a grant from the NYS Council on the Arts and eligibility for this funding requires a fixed lease term that exceeds the life of the funded improvements. The remaining eight years on the Lease are inadequate and RMSC is requesting an amendment to the lease term for a period of thirty (30) years, with automatic annual extensions thereafter. All other terms and conditions of the Lease will remain the same.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-362
(Int. No. 427)

Authorizing an amendatory lease agreement for the Rochester Museum & Science Center

WHEREAS, the City of Rochester has received a proposal to continue the lease of the City's Rochester Museum & Science Center property and collections for a term of thirty years with automatic annual extensions thereafter subject to termination on notice of one year;

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

WHEREAS, the term of the amendatory lease is reasonable and necessary in light of its intended purpose and the public will benefit throughout the term of the lease;

WHEREAS, the Council has determined that payment is not required due to the overriding public benefit served by the Museum; and

WHEREAS, the Council affirmatively finds that the proposed amendatory lease is in the public interest, as the public benefit to be derived from the use is the continuation of the operation of the Museum which is open to the public and benefits residents of the City and surrounding area and visitors.

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

Section 1. The Mayor is hereby authorized to enter into an amendatory lease agreement with the Rochester Museum & Science Center (RMSC) for the continued lease of the Museum property at 657-687 East Avenue and its collections for a term that continues for thirty years following indorsement of the amendment and then continuing year-to-year thereafter subject to termination on notice of one year. The amended lease shall be without rent due to the overriding public benefit provided through the operation of the Museum. The RMSC shall be solely responsible for the maintenance and operation of the property, including the payment of all utilities. The RMSC shall provide general liability insurance and property insurance, insuring both the real property and the museum's collections. The RMSC shall also indemnify the City against all claims and liabilities arising out of its use of the property.

Section 2. The amendatory lease 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. 2022-363
Re: Agreement – The Guardian Life
Insurance Company of America
- Dental Plan Administration
Services

Council Priority: Deficit Reduction
and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$186,000.00 as maximum compensation for an agreement with The Guardian Life Insurance Company of America (Andrew J. McMahon, President & CEO) for administration of the City's self-insured Dental Plan. The agreement shall be in effect for three (3) years (1/1/23 – 12/31/25). Of said amount, \$31,000 shall be funded from the 2022-2023 Budget for Undistributed Expense, \$62,000 shall be funded from the 2023-2024 Budget for Undistributed Expense, \$62,000 shall be funded from the 2024-2025 and \$31,000 shall be funded from the 2025-2026 Budget for Undistributed Expense, contingent upon approval of future budgets.

The Guardian Life Insurance Company of America has provided a variety of dental benefits for City employees on both a full-insured and self-insured basis since 2005. The recommendation to continue with The Guardian Life Insurance Company of America for this services is based on the fact that they have provided exemplary services for City employees and retirees who participate in their benefit plans, complex systems have been developed through the City's Human Capital Management system (Workday) in order to automatically enroll and maintain employee/retiree coverage, and their current administrative fee will continue through calendar year 2025.

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

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-215

Ordinance No. 2022-363
(Int. No. 428)

Authorizing an agreement for dental plan administration 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 The Guardian Life Insurance Company of America to administer dental insurance plans for all benefit-eligible City employees. The maximum compensation for the agreement shall be \$186,000, which shall be funded in the amounts of \$31,000 from the 2022-23 Budget of Undistributed Expenses (Undistributed), \$62,000 from the

2023-24 Budget of Undistributed, \$62,000 from the 2024-25 Budget of Undistributed, and \$31,000 from the 2025-26 Budget of Undistributed, contingent upon approval of the future years' budgets. The term of the agreement shall be three years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-364
Re: Amendatory Agreement
– Workday, Inc. Human Resource
Management and Payroll

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Workday, Inc., (Aneel Bhusri and Chano Fernandez, Co-CEO) Pleasanton, California, to provide hosting services and implementation of an Enterprise Process and System Solution for Human Resource Management and Payroll. The original agreement was authorized by Ordinance No. 2015-314 for a term of seven (7) years and six (6) months and maximum compensation of \$6,201,000. This amendment will extend the term of the agreement for an additional three (3) years, not to exceed \$1,570,343, and will be funded in the amounts of \$523,448 from the 2022-23 Budget of the Department of Information Technology (IT), \$523,448 from the 2023-24 Budget of IT, and by \$523,447 from the 2024-25 Budget of IT, contingent upon the approval of the latter two budgets.

The City implemented Workday in February 2018. Currently Workday is being used for: maintenance of employee personal information and work history, payroll processing, repository for employee pay statements and annual tax documents, maintenance of benefit elections and online benefit enrollment, probationary performance reviews, and reporting of employee data. Over the next few years, the Department of Human Resource Management would like to expand the use of Workday to include: Annual Performance Reviews, Succession Planning support and skill gap analysis, time and labor, and real-time diversity reporting and dashboards. The Department of Human Resource Management would also like to expand the use of Workday into other areas of the business through adding additional available modules which may replace current applications, for example Workday as a Learning Management System.

Workday, Inc. was selected via a request for proposals (RFP) process in 2014. They have been selected to continue to provide these services because their system is meeting the needs of the City of Rochester, the expense to transition to a new system is significant, and the potential to expand the use of Workday throughout the City of Rochester.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-364
(Int. No. 429)

Authorizing an amendatory agreement relating to the Enterprise Process and System Solution for Human Resource Management and Payroll

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 Workday, Inc. to provide hosting services and to implement an Enterprise Process and System Solution for Human Resource Management and Payroll. The amendatory agreement shall increase the maximum compensation of the agreement authorized in Ordinance No. 2015-314 by \$1,570,343 to a new total of \$7,771,343 and shall extend the term by three years. The amendatory compensation shall be funded in the amounts of \$523,448 from the 2022-23 Budget of the Department of Information Technology (IT), \$523,448 from the 2023-24 Budget of IT, and by \$523,447 from the 2024-25 Budget of IT, contingent upon the approval of the latter two budgets.

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. 2022-365
Re: Agreement – Urban League of
Rochester N.Y., Inc for oversight
of the Racial and Structural Equity
("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 which will:

- (1) Authorize an intermunicipal agreement (IMA) with Monroe County whereby the County will provide \$50,000 to the City of Rochester for its financial support of the City's contract with the Urban League of Rochester, N.Y., Inc. to evaluate implementation of RASE recommendations. The term of this agreement will be one year;
- (2) Amend the 2022-23 Budget of the Mayor's Office by \$50,000 to reflect the funds received from Monroe County pursuant to the IMA; and
- (3) Authorize an amendatory agreement with the Urban League of Rochester, N.Y., Inc. (Dr. Seanelle Hawkins, President and CEO, Rochester, NY) to provide services related to oversight of RASE recommendations. The original agreement, authorized in Ordinance No. 2022- 261, established maximum compensation at \$50,000 for a term of one year with two optional one year renewals. This amendment will increase the compensation by \$50,000 in the first year to a maximum total of \$100,000. The additional cost will be funded from the Budget of the Mayor's Office, reflecting the new funds from Monroe County pursuant to the IMA. All other terms will remain the same.

The initial contract with Urban League of Rochester, N.Y., Inc. represented the City's \$50,000 portion of a planned funding for the Urban League of Rochester, NY, Inc. Instead of contracting directly with Urban League of Rochester, N.Y., Inc. for its portion, the County will use this IMA with the City to provide its portion of funding and the City will directly contract with Urban League of Rochester, N.Y, Inc. for the full \$100,000.

The RASE recommendations 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, N.Y. Inc. 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 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

Ordinance No. 2022-365
(Int. No. 430)

Authorizing intermunicipal and amendatory agreements related to the implementation of recommendations in the Racial and Structural Equity (RASE) Report

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 (IMA) with the County of Monroe for the receipt and use of \$50,000 from the County to support activities relating to implementing the recommendations in the Racial and Structural Equity (RASE) Report. The term of the agreement shall be one year.

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 to the Budget of the Office of the Mayor by \$50,000 to reflect the funds to be received from the County of Monroe pursuant to the IMA authorized in Section 1 herein.

Section 3. The Mayor is hereby authorized to enter into an amendatory professional services agreement with the Urban League of Rochester, N.Y., Inc. to oversee community implementation of the recommendations set forth in the RASE Report. The amendatory agreement shall increase the maximum compensation for the agreement authorized by Ordinance No. 2021-261 by \$50,000 for the first year to a new total of \$100,000. The increase shall be funded from the 2022-23 Budget of the Office of the Mayor.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-366
Re: Agreement –The Springut Group,
Production of Party in the Park

Council Priority: Creating and Sustaining
A Culture Of Vibrancy

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$145,000 as maximum annual compensation for an agreement with The Springut Group (principal: Jeff Springut), with offices at 26 South Goodman Street, Rochester, for booking national and regional artists and the overall production of the City of Rochester's event, Party in the Park. The cost of this agreement will be financed from the 2022-23 Budget of the Bureau of Communications, and future budgets of the Bureau of Communications, contingent upon their approval.

Party in the Park is a City-created and owned summer music series that is entering its 27th season. The event has called Dr. Martin Luther King, Jr. Park home for the last 8 years, but the exact location may change as the event grows and is continually reimagined. The Springut Group was selected through a request for proposals process. Three proposals were received. The request for proposal summary and rating sheet is attached.

The Springut Group will provide talent booking, event promotion and marketing, and comprehensive site management services including concessions, stage management, and security. The Springut Group will also solicit sponsors to enhance the City's funding. As owner of the event, the City will retain all general admission ticket revenue and will receive a percentage of concession revenue. The Springut Group has produced Party in the Park for the past five years, and the City is pleased with the partnership and the performance of the promoter, even though challenging post-pandemic seasons. The promoter has decades of experience in producing events in the city, and currently produces the Lilac Festival.

The term of the agreement is three years with two, one year renewal options available, based upon mutual agreement between the City and the consultant.

As it does with other City-owned events, the investment includes staging and sound services, in-kind public safety services, Department of Environmental Services equipment rental and staff support, ticket-taking services, and marketing support.

Respectfully submitted,
Malik D. Evans
Mayor
Attachment No. AV-216

Ordinance No. 2022-366
(Int. No. 431)

Authorizing an agreement related to production of Party in the Park

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

Section 1. The Mayor is hereby authorized to enter into an agreement with The Springut Group for booking the artists and for producing Party in the Park. The term of the agreement shall be three years, with the option to extend for up to two additional periods of one year each. The maximum annual compensation for the agreement shall be \$145,000, which shall be funded in the amount of \$145,000 from the 2022-23 Budget of the Bureau of Communications for the first year and in the same amount for each subsequent year from future budgets of the Bureau of Communications contingent upon the approval of said future budgets.

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. 2022-367
Re: 2022-23 Budget Amendment
– Wage Settlement, AFSCME,
AFSCME/Part Time, APT,
Confidential, Non-Represented
Part Time

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 2022-23 Budget to reflect wage and salary increases for AFSCME and non-uniformed employees. This legislation will transfer \$3,262,000 from the Contingency Account and distribute these funds to Undistributed Expenses \$231,800 for related fringe benefits, with the remaining balance of \$3,030,200 to departments, as follows, for salaries and wages:

City Council & Clerk	135,500	Information Technology	98,300
Administration	218,500	Emergency Communications	367,400
Law	59,200	Library	50,400
Environmental Services	1,094,100	Neighborhood & Bus. Dev't	270,300
Finance	168,000	Police	212,200
Fire	61,900	Recreation & Human Services	294,400

When the 2022-23 Budget was adopted by City Council in June 2022, salary and wage rates had not yet been established for employees represented by the full-time or part-time American Federation of State, County and Municipal Employees (AFSCME). In addition, no wage adjustment decision had been made for employees in the Confidential, Administrative, Professional, Technical (APT), and non-represented part time groups. As a result, a provision for possible increases for these employees was included in Contingency.

The five-year contract with AFSCME Local 1635, negotiated and signed in August 2022, provides for a retroactive wage increase effective July 1, 2022 with the following rates:

2.50% effective July 1, 2022	3.00% effective July 1, 2025
3.25% effective July 1, 2023	3.00% effective July 1, 2026
3.25% effective July 1, 2024	

Also effective July 1, 2022 is that the shift differential for those full-time AFSCME individuals that work shifts other than the common day shift increased from 60 cents per hour to 90 cents per hour. Longevity payments to employees that have worked for the City for five or more years doubles.

Upon ratification and settlement of both the AFSCME and AFSCME Part Time agreements, the Administration determined that similar wage increases would be granted to the Confidential, APT, and other non-represented part time groups. The amounts required by classification are as follows:

AFSCME Full Time	\$1,447,600
AFSCME Part Time	84,100
APT/Confidential	1,258,300
Other non-represented part time	240,200
Salary Benefits-Undistributed	231,800
Total	\$3,262,000

Respectfully submitted,

Malik D. Evans
Mayor

Ordinance No. 2022-367
(Int. No. 432)

Amending the 2022-23 Budget for wage and salary increases

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 appropriating the sum of \$3,262,000 from the Contingency Account to other Budget accounts as follows:

Council & Clerk	\$135,500
Administration	218,500
Law	59,200
Environmental Services	1,094,100
Finance	168,000
Fire	61,900
Information Technology	98,300
Emergency Communications	367,400
Library	50,400
Neighborhood & Bus. Dev't	270,300
Police	212,200
Recreation & Human Services	294,400
Undistributed Expenses	231,800
TOTAL	3,262,000

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2022-368
Agreement –Production
of the Rochester Summer Soul
Music Festival- Xperience
Live LLC

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$200,000 as maximum annual compensation for an agreement with Xperience Live LLC (principal: Varick Baiyina), National Harbor, Maryland, for booking national and regional artists and providing overall production of the Rochester Summer Soul Music Festival. The term of this agreement will be for two years with three, one-year renewal options, and the cost will be financed from the 2022-2023 Budget of the Bureau of Communications, and subsequent budgets contingent upon their approval.

2023 will be the 27th year of the event. Previously called Rochester Music Fest and Rochester Summer Fest, the Rochester Summer Soul Music Festival is a City of Rochester-created and City-owned event with a longstanding tradition in the community. The event will continue to offer a family-friendly, festival atmosphere. The exact event location will be determined in the planning phase and may change as the event

continues to be reimagined over the course of the contract. A wide range of ticket prices will be available, with a major focus on ensuring the event is more accessible to an economically diverse audience, as other City-owned events are.

Xperience Live LLC was selected through a request for proposals process. Two proposals were received, and A summary is attached. Xperience Live LLC has produced the event for the last five years, reshaping the brand and selecting high quality talent. Similar to the previous five years, they will provide national and regional talent booking for an urban audience, all site-related procurement and on-site management, vendor and concession management, advertising, marketing, and sponsorship solicitation. In this agreement, the City will share in a portion of ticket sales and concession revenues.

Consistent with other City-owned events, the City will also invest in in-kind support, including public safety, City equipment rental, ticket-taking services, and a portion of staging and sound services.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-217

Ordinance No. 2022-368
(Int. No. 433)

Authorizing an agreement relating to the Rochester Summer Soul Music Festival

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Xperience Live LLC for the booking of national and regional artists and production of the Rochester Summer Soul Music Festival. The term of the agreement shall be two years, with the option to extend for up to three additional periods of one year each. The maximum annual compensation for the agreement shall be \$200,000, which shall be funded in the amount of \$200,000 from the 2022-23 Budget of the Bureau of Communications for the first year, and in the same amount for each subsequent year from future years' budgets of the Bureau of Communications contingent upon approval of the future 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:

Local Law No. 9
Re: Charter Amendment
– Redistricting

Transmitted herewith for your approval is legislation to amend the City Charter with regard to the boundaries of the City Council districts. Subsequent to each decennial census, it is required that voting districts be reconfigured to reflect the “one person, one vote” rule. Under this rule, the total population of a jurisdiction is divided by the number of Districts within it – thus creating the “ideal” district population. New York State law requires that district not vary by more than 5% from the “ideal” population.

Attachment A is a report outlining the public engagement efforts executed to gather community feedback related to the redistricting process.

The City population total as determined by the 2021 Census is 211,328; dividing this number by four would mean that the “ideal” number for each Council district would be 52,832.

The 2021 population for each District is as follows:

District	Current District Population	Ideal Population	Variance from Ideal	Variance as a Percentage
Northeast	52,259	52,832	-573	-1.09%
East	52,096	52,832	-736	-1.39%
South	53,280	52,832	+448	0.85%
Northwest	53,693	52,832	+861	1.63%

As evident in the above data, all four Districts are well within the legal standard to remain the same. Based on feedback from constituents and in an effort to standardize population sizes among the four Districts, the below adjustments are being proposed.

- Shifting a portion of the boundary between the Northwest and South Districts to generally follow the railroad tracks beginning at the western-most City border and ending at Brown Street.
 - This shifts the area between Buffalo Road and the railroad tracks to the Northwest District from the South District.
 - This shifts the area between Colvin Street, West Avenue, Brown Street, and the railroad tracks to the South District from the Northwest District.
- Shifting a portion of the boundary between the South and East Districts to generally follow South Avenue beginning at Elmwood Avenue and ending at Linden Street.
 - This shifts the area between South Avenue and South Goodman Street, between Elmwood Avenue and Rockingham Street, as well as a portion of Linden Street between Mt. Vernon Avenue and South Avenue, to the East District from the South District.
- Shifting a portion of the boundary between the East and Northeast Districts to generally follow Clifford Avenue to the eastern-most City border.
 - This shifts the area between Clifford Avenue and Fernwood Park from Lyceum Street to Walbar Street to the Northeast District from the East District.
 - This also shifts the area between Clifford Avenue and Seymour Road from Woodman Park/Culver Road and the City border to the Northeast District from the East District.
- No changes are made to the boundary between the Northeast and the Northwest Districts, nor the boundary between the South and Northeast Districts.

The proposed Districts are included in Attachment B, as well as maps comparing the proposal to the current Districts in Attachment C. The impact of these minor adjustments would be as followed:

District	New District Population	Change in Population (of proposed new Districts)	Ideal Population	Variance from Ideal (of proposed new Districts)	Variance as a Percentage
Northeast	52,780	+521	52,832	-52	-0.10
East	52,798	+702	52,832	-34	-0.06
South	52,922	-358	52,832	+90	0.17
Northwest	52,828	-865	52,832	-4	-0.008

An analysis of the proposed changes was completed to ensure conformance with the Voting Rights Act. The proposed changes conform to legal requirements and continue the City’s commitment to a redistricting process that respects neighborhood boundaries and values compactness and continuity.

A public hearing is required.

Respectfully submitted,
Miguel A. Meléndez, Jr.
President

Attachment No. AV-218

Local Law No. 9
(Int. No. 434)

Local Law amending City Charter Section 5-3 with respect to Council District Boundaries

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending subsections A, B, C and D of Section 5-3, Districts, to read in their entirety as follows:

A. The Northeast District shall include all the area described within the boundaries as follows:

Beginning at the intersection of the centerline of the Genesee River and the westerly extension of the centerline of Marina Drive; Thence southerly along the centerline of the Genesee River to its intersection with the centerline of East Main Street; Thence easterly along the centerline of East Main Street to its intersection with the centerline of North Goodman Street; Thence northerly along the centerline of North Goodman Street to its intersection with the centerline of Clifford Avenue; Thence easterly along the centerline of Clifford Avenue to the easterly boundary of the City; Thence northerly along the easterly boundary of the City to the northerly boundary of the City; Thence westerly along the northerly boundary of the City to a point 33 feet easterly from the centerline of Culver Road; Thence northerly on a line 33 feet easterly from and parallel to the centerline of Culver Road to a point 33 feet northerly from the centerline of Hoffman Road produced easterly; Thence northwesterly on a line 33 feet northerly from and parallel to the centerline of Hoffman Road to a point 33 feet easterly from the centerline of Wisner Road; Thence northerly on a line 33feet easterly from and parallel to the centerline of Wisner Road to the southerly boundary of Durand Eastman Park; Thence easterly along the southerly line of Durand Eastman Park to the easterly line of Durand Eastman Park; Thence generally northerly along the

easterly boundary of Durand Eastman Park to the shore of Lake Ontario; Thence westerly along the shore of Lake Ontario to the westerly line of Durand Eastman Park; Thence generally southerly along the westerly line of Durand Eastman Park to the southerly line of Durand Eastman Park; Thence generally easterly along the southerly line of Durand Eastman Park to a point 33 feet westerly from the centerline of Wisner Road; Thence southerly on a line 33 feet westerly from and parallel to the centerline of Wisner Road to a point 33 feet south of the centerline of Hoffman Road produced westerly; Thence southeasterly on a line 33 feet southerly from and parallel to the centerline of Hoffman Road to a point 33 feet westerly from the centerline of Culver Road; Thence southerly on a line 33 feet westerly from and parallel to the centerline of Culver Road to the northerly boundary line of the City; Thence westerly along the northerly line of the City to the easterly line of the City; Thence generally northerly along the said easterly City line to the centerline of Marina Drive; Thence westerly along the centerline of Marina Drive and the westerly extension thereof to the centerline of the Genesee River and to the point of beginning.

- B. The East District shall include all the area described within the boundaries as follows:

Beginning on the centerline of the Genesee River and its intersection with the centerline of East Main Street; Thence easterly along the centerline of East Main Street to its intersection with the centerline of North Goodman Street; Thence northerly along the centerline of North Goodman Street to its intersection with the centerline of Clifford Avenue; Thence easterly along the centerline of Clifford Avenue to the easterly boundary of the City; Thence generally southerly along the easterly line of the City including the areas known as Densmore Creek and Tryon Park to the southerly boundary of the City; Thence generally westerly along the southerly boundary of the City to its intersection with the centerline of Elmwood Avenue; Thence westerly along the centerline of Elmwood Avenue to its intersection with the centerline of South Avenue; Thence northerly along the centerline of South Avenue to its intersection with the centerline of Linden Street; Thence easterly along the centerline of Linden Street to its intersection with the centerline of Mount Vernon Avenue; Thence northerly along the centerline of Mount Vernon Avenue to its intersection with the centerline of Caroline Street; Thence easterly along the centerline of Caroline Street to its intersection with the centerline of Meigs Street; Thence northerly along the centerline of Meigs Street to its intersection with the centerline of Interstate 490; Thence generally northwest along the centerline of Interstate 490 and the Inner Loop to the centerline of the Genesee River; Thence northerly along the centerline of the Genesee River to its intersection with the centerline of East Main Street and to the place of beginning.

- C. The South District shall include all the area described within the boundaries as follows:

Beginning at the intersection of the westerly boundary of the City with centerline of the CSX Rochester Sub Line Railroad; Thence easterly along the centerline of the CSX Rochester Sub Line Railroad to its intersection with the centerline of Brown Street; Thence northeasterly along the centerline of Brown Street to its intersection with the centerline of Interstate 490; Thence easterly along the centerline of Interstate 490 to its intersection with the centerline of the Inner Loop; Thence northeasterly along the centerline of the Inner Loop to its intersection with the centerline of the Genesee River; Thence southerly along the centerline of the Genesee River to its intersection with the centerline of Interstate 490; Thence southeasterly along the centerline of Interstate 490 to its intersection with the centerline of Meigs Street; Thence southerly along the centerline of Meigs Street to its intersection with the centerline of Caroline Street; Thence westerly along the centerline of Caroline Street to its intersection with the centerline of Mount Vernon Avenue; Thence southerly along the centerline of Mount Vernon Avenue to its intersection with the centerline of Linden Street; Thence westerly along the centerline of Linden Street to its intersection with the centerline of South Avenue; Thence southerly along the centerline of South Avenue to its intersection with the centerline of Elmwood Avenue; Thence easterly along the centerline of Elmwood Avenue to its intersection with the easterly boundary of the City; Thence generally southerly along the easterly boundary of the City to the southerly boundary of the City; Thence generally westerly along the southerly boundary of the City, including Genesee Valley

Park, to the westerly boundary of the City; Thence generally northerly along the westerly boundary of the City, including the Rochester Monroe County International Airport, to its intersection with the centerline of the CSX Rochester Sub Line Railroad and to the point of beginning.

D. The Northwest District shall include all the area described within the boundaries as follows:

Beginning at the intersection of the centerline of the Genesee River with the westerly extension of the centerline of Marina Drive; Thence southerly along the centerline of the Genesee River to its intersection with the centerline of Inner Loop; Thence southwesterly along the centerline of the Inner Loop to its intersection with the centerline of Interstate 490; Thence northwesterly along the centerline of Interstate 490 to its intersection with the centerline of Brown Street; Thence southwesterly along the centerline of Brown Street to its intersection with the centerline of the CSX Rochester Sub Line Railroad; Thence southwesterly along the centerline of the CSX Rochester Sub Line Railroad to its intersection with the westerly boundary of the City; Thence northerly following the westerly boundary of the City to its intersection with the shore of Lake Ontario; Thence easterly along the shore of Lake Ontario to the easterly boundary of the City; Thence southerly along the easterly boundary of the City to the centerline of Marina Drive; Thence westerly along the centerline of Marina Drive and the westerly extension thereof to the centerline of the Genesee River and to the point of beginning.

Section 2. The enactment of this local law shall not affect the tenure of the incumbent elected or appointed Councilmembers. The intent of this local law is to change the Council district boundaries for the next municipal election following the enactment of this local law, and each succeeding election thereafter. The incumbent Councilmembers shall remain the lawful representatives of their respective districts as delineated in Local Law No. 5 of 2011 until the expiration of their present elective or appointive terms.

Section 3. This local law shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2022-51
 Re: Resolution Establishing the
 Schedule for the Regular
 Council Meetings in 2023
 and Amending the Council Rules

Transmitted herewith for your approval is legislation establishing the 2023 City Council meeting schedule. The proposed schedule has been reviewed by Council staff and the Mayor's Office in order to eliminate any potential conflicts with either civic or religious holidays. Below is an outline of the proposed calendar. Although it is not formally part of this legislation, the dates for Referrals and Council Committee Meetings are also included:

<u>Referral Day</u>	<u>Committee Day 1*</u>	<u>Committee Day 2†</u>	<u>Public Hearings & Speak to Council‡</u>	<u>Full Council Meeting§</u>
January 3	January 11	January 12	January 19	January 24
January 31	February 8	February 9	February 16	February 21
February 28	March 8	March 9	March 16	March 21
March 28	April 12	April 13	April 20	April 25
May 2	May 10	May 11	May 18	May 23
May 30	June 7	June 8	June 15	June 20

June 27	July 5	July 6	July 13	July 18
August 1	August 9	August 10	August 17	August 22
August 29	September 6	September 7	September 14	September 19
September 26	October 4	October 5	October 12	October 17
October 24	November 1	November 2	November 9	November 14
November 28	December 6	December 7	December 14	December 19

*Parks and Public Works (3:30PM) and Neighborhood Business Development (4:00PM).

† Recreation and Human Services (3:30PM), Public Safety (4:00PM), and Finance (4:30PM).

*Public Hearings begin at 6:00PM, Speak to Council follows once Public Hearings are concluded.

§The full Council Meeting will begin at 6:30PM.

In addition to updating the Council Meeting and Public Hearings dates, the City Council rules are being amended to:

1. Change the start time of the full Council meeting to 6:30PM.
2. Move the Speak to Council and Public Hearings to fall on the same day, and to start at 6:00PM.

Respectfully submitted,
Miguel A. Meléndez, Jr.
City Council President

Resolution No. 2022-51
(Int. No. 435)

Resolution adopting the Rules of Council

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

Section 1. The Council hereby adopts the following Rules of Council for the year 2023, and hereby revokes the Rules adopted in Resolution 2022-4 with regard to Council proceedings conducted in 2023.

- I. **REGULAR MEETINGS** - Regular meetings of the Council of the City of Rochester shall be held in the Council Chambers, City Hall, at 6:30 P.M., on the following dates in 2023:

January 24
February 21
March 21
April 25
May 23
June 20
July 18
August 22
September 19
October 17
November 14
December 19

and also at such other times as the Council may by adjournment to a day certain appoint. When the date for a regular meeting falls on a legal holiday the meeting shall be held on the following day.

- II. **SPECIAL MEETINGS** - Special meetings may be called at any time by the Mayor, the President of the Council, or any three Councilmembers. The City Clerk shall cause the written notice thereof, specifying the object of the meeting, to be served upon each member personally or to be delivered at the member's usual place of residence or City email address at least twenty-four hours before the time fixed for such meeting, except that if such notice is served

prior to 5:00 P.M., the time for the special meeting may be fixed at any time after 9:00 A.M. the following day. Councilmembers may waive service of such notice in writing. At such special meeting no business other than that named in the notice of the meeting shall be transacted.

- III. EXECUTIVE MEETINGS - Whenever the Council or a duly constituted committee thereof shall determine to transact business in an executive session, it shall do so in accordance with the provisions of the Open Meetings Law, and the presiding officer shall direct all persons except members and designated officers of the City to withdraw.
- IV. QUORUM - The majority of the Councilmembers shall constitute a quorum; but a smaller number may adjourn from day to day.
- V. PRESIDING OFFICER - The President of the Council, and in the President's absence, the Vice President, shall preside over the meetings of the Council. In the absence of both the President and the Vice President, the City Clerk shall call the meeting to order and the Council shall appoint as presiding officer a President pro tempore.
- VI. ORDER OF BUSINESS - The following shall be the order of business at regular meetings:
 - 1. Roll Call.
 - 2. Moment of Silence & Pledge of Allegiance.
 - 3. Approval of the minutes of the preceding meeting or meetings.
 - 4. Communications to the Council from the Mayor, President of the Council, other corporate officers, boards and departments and miscellaneous communications.
 - 5. Presentation and reference of petitions and any other communications.
 - 6. Reports of standing committees, introduction of, and action upon local laws, ordinances and resolutions.
 - 7. Reports of standing committees on matters not addressed in Item 6 above and action thereon.
 - 8. Reports of special committees.
 - 9. Miscellaneous business.
 - 10. Adjournment.
- VII. PUBLIC HEARINGS – Each person wishing to speak at a public hearing with respect to a specific proposed item of legislation shall be allotted no more than 3 minutes. Speakers must relinquish the podium at the end of their allotted time. Public Hearings will take place beginning at 6:00 P.M. on the following dates.

January 19
February 16
March 16
April 20
May 18
June 15
July 13
August 17
September 14

October 12
November 9
December 14

The President may designate that a specific public hearing shall be held at a regular or special meeting of the Council, or at a special meeting of a Council Committee, by giving notice to all Councilmembers, following the same procedure outlined in Section II above.

VIII. PERMISSION FOR PERSONS TO SPEAK BEFORE THE COUNCIL – The President of the Council may allow any person to speak to the Council upon the following terms and conditions. Speak to Council will take place upon the conclusion of the Public Hearings provided for in Section VII on the following dates:

January 19
February 16
March 16
April 20
May 18
June 15
July 13
August 17
September 14
October 12
November 9
December 14

1. In order to speak, a citizen must notify the Clerk's Office before 4:30 P.M. on the day of the meeting.
2. The citizen must specify to the Clerk the subject of their remarks.
3. The Clerk will prepare two lists of scheduled speakers:
 - A. Those wishing to speak on items which are on the agenda for the next Council meeting (List A).
 - B. Those wishing to speak on items which are not on the agenda for the next Council meeting (List B).
4. The lists shall be in the order that citizens notified the Clerk's Office.
5. Each speaker will be allotted no less than two (2) minutes and no more than three (3) minutes. If there are less than 20 speakers, each speaker will be allotted three minutes to speak. If there are 20 or more speakers signed up, each speaker will be allotted two minutes to speak.
6. The President will call the speakers in order as listed on List A, and after completing List A, the speakers on List B, giving each the amount of time determined in paragraph 5 above.
7. Speakers must relinquish the podium at the end of their allotted time.
8. In the event that the President shall determine that any speaker is violating any of the Rules of Council, the President, in the President's discretion, may cause the meeting to be recessed.

Any person may also speak at meetings of duly constituted committees of the Council at the invitation of the Chairperson and upon such terms and conditions as the Chairperson may, from time to time, prescribe.

- IX. ROLL CALL VOTE - On the passage of every ordinance which is not adopted by unanimous vote, on the passage of any ordinance authorizing the issuance of bonds and notes, on the selection of any officer other than by unanimous vote, and on the enactment of any local law, the individual vote for or against the particular legislation before Council shall be entered in full upon the journal. In the case of an abstention from a vote, any member who abstains from voting shall state publicly the reasons for such abstention: such reasons shall be entered in full upon the journal. A roll call vote may be requested by the City Clerk or any member of Council.
- X. PRECEDENCE OF MOTIONS - When a question is before the Council no motion shall be entertained except: First, to adjourn; second, to fix the hour of adjournment; third, for the previous question; fourth, to lay on the table; fifth, to postpone indefinitely; sixth, to postpone to a day certain; seventh, to refer; eighth, to amend. These motions shall have precedence in the order indicated. Any such motion, except a motion to amend, shall be put to vote without debate.
- XI. MOTION TO AMEND – A motion to amend shall not be voted upon until the text of the amendment is presented to the Councilmembers in writing.
- XII. RECONSIDERATION - After the decision of any question, a member who voted in the majority may move its reconsideration at the same or a subsequent meeting. If a motion for reconsideration be lost, it shall not be renewed without unanimous consent of the members present and no question shall a second time be reconsidered without similar unanimous consent. After a local law or ordinance has been signed by the Mayor, or has been presented to the Mayor and more than thirty (30) days have expired, during which time the Mayor neither approved it nor returned it to the Clerk with objections, it shall not be reconsidered, but such local law or ordinance may be repealed, or amended.
- XIII. WITHDRAWAL OF MOTION - Any motion may be withdrawn by the maker before it has been amended or voted upon, but in such case any other member may renew the motion at that time.
- XIV. PROCEDURE ON RESOLUTIONS - All resolutions of the Council shall be adopted by the affirmative vote of a majority of the members present at the meeting at which action is taken thereon. Any member of the Council may introduce a resolution into the Council either (a) at any meeting of the Council, at which time the presiding officer shall refer the resolution to the appropriate standing committee, or (b) at any time until 5:00 p.m. the day before the appropriate committee meeting by submitting it to the President of the Council who shall promptly forward it to the Chair of the appropriate standing committee. The Council shall not vote upon any resolution until it has been discharged from one or more standing committees pursuant to Section XVII of these rules, provided, however, that the Council may vote upon a resolution without reference to or discharge from a standing committee if it is accompanied by a statement of necessity of immediate passage signed by the Mayor or the President of Council, or these rules are suspended as provided herein.
- XV. PROCEDURE ON LOCAL LAWS AND ORDINANCES - All legislative acts of the Council shall be by local law or ordinance adopted by the affirmative vote of five members of the Council, unless otherwise expressly required by law.

Any member of the Council or the Mayor may introduce a Local Law or Ordinance into the Council. By submitting proposed legislation to the President of the Council. The President shall forward such proposed legislation to the City Clerk, at which time the legislation shall be

deemed introduced into the Council. The City Clerk shall note on the copy of the legislation the date of its introduction and its sequential introductory number.

Proposed legislation shall be similarly distributed to Councilmembers on "Referral Day" which shall be at least nineteen (19) days prior to the date of the Council meeting at which it is scheduled to be considered.

Following Referral Day and before Committee Meetings, additional legislation may be submitted to the President of Council for distribution to the appropriate committee(s) at the discretion of the President.

Proposed legislation submitted by the Mayor less than twelve (12) days before the Council Meeting at which it is scheduled to be considered shall be accompanied by a statement of necessity of immediate consideration signed by the Mayor and stating the nature of the emergency. Proposed legislation submitted by any member of Council during this period may be distributed to the appropriate committee(s) at the discretion of the President.

Proposed legislation submitted less than five (5) days before the Council Meeting at which it is scheduled to be considered shall be accompanied by a statement of necessity of immediate consideration stating the nature of the emergency and signed:

- a) by the Mayor and President of the Council, in the case of legislation submitted by the Mayor; or
- b) by the President of the Council, in the case of legislation submitted by a member of Council.

The Clerk shall keep a file of all proposed legislation until it is voted upon by the Council or until the expiration of each two-year term of Council.

A local law or ordinance amended after its introduction shall proceed to consideration by Council in the normal course unless such legislation as amended is ruled to be so substantially different from the original as to constitute a new local law or ordinance that that must be introduced and distributed anew for consideration at a subsequent meeting of Council. A ruling on whether amended legislation constitutes a new local law or ordinance shall be required only upon the motion of a Councilmember and the ruling shall be made by the presiding officer, or the Council on appeal from the presiding officer's ruling.

The Council shall not vote upon any local law or ordinance until it has been discharged from one or more standing committees of the Council pursuant to Section XVII of these rules, provided, however, that the Council may vote upon proposed legislation without reference to or discharge from a standing committee if:

- a) as to a local law, it is accompanied by a statement of necessity of immediate passage signed by the Mayor, and its adoption is by the affirmative vote of six (6) members of the Council, or
- b) as to an ordinance, (i) it is accompanied by a statement of necessity of immediate passage signed by the Mayor, or (ii) approval to vote upon it is given by six (6) members of the Council.

Whenever a public hearing is required to be held by the Council on an item of proposed legislation, the President may direct the City Clerk to advertise the public hearing in the manner and for the period of time required by law so that such hearing may be held at the end of the final standing Committee Meeting; or if the hearing is to be held before a specific

committee, such hearing shall be advertised so that it may be held at the next available regularly scheduled or special meeting of that committee; unless the Council provides otherwise by resolution.

Whenever the Mayor has disapproved a local law or ordinance and the City Clerk has presented the local law or ordinance to the Council with the Mayor's objections, the President or any member of Council may move for reconsideration of the same within thirty (30) days.

- XVI. CONSTITUTION OF COMMITTEES - The following standing committees shall be appointed by the President of the Council at the organization meeting of the Council: Finance; Neighborhood & Business Development; Parks & Public Works; Public Safety; and Recreation & Human Services.

The first named member of each committee shall be Chair. The President and the Vice President shall be ex officio voting members of all committees.

A change in the personnel of the foregoing committees, including a change in the Chair thereof, may be effected at any time or times at the pleasure of the President of the Council with the concurrence of a majority of the Council, or in any case by a two-thirds vote of the Council. The President shall be empowered to constitute a Committee of the Whole, in place of any standing committee, to consider Mayoral appointments of Department Heads or for other resolutions, local laws, or ordinances considered to be of sufficient importance as to merit such treatment. Discharge from the Committee of the Whole shall fulfill the requirements variously stated in Sections XVI, XVII, and XIX, which call for the discharge of any proposed legislation from a standing committee before it can be acted upon by the Council.

- XVII. MEETINGS AND PROCEDURES OF STANDING COMMITTEES - A majority of a committee shall constitute a quorum. Each committee shall meet at the call of its Chair or any other two members, upon reasonable notice to all committee members. Regular meetings of the standing committees shall be scheduled no later than twelve (12) days before the date of a Council meeting.

A committee may hold a public hearing on any proposed legislation referred to it. A committee may amend any proposed legislation referred to it by majority vote of its members taken at a meeting, and if discharged, the Council shall consider the proposed legislation.

In discharging any proposed legislation referred to it, a committee shall specifically recommend the legislation for adoption, rejection or consideration by the Council in a written report signed by a majority of its members attending the committee meeting. Any proposed legislation discharged by a committee shall be placed by the City Clerk on the agenda of the next regular Council meeting, at which the Council shall vote upon each item of proposed legislation separately, a yes vote to indicate adoption of the legislation, and a no vote to indicate rejection of the legislation.

If a committee fails or refuses to discharge any proposed legislation referred to it or if the legislation is presented to Council less than 12 days prior to the regular meeting of Council in accordance with Section XV above, it may be discharged on a motion duly seconded by the affirmative vote of a majority of the Council.

In order to effectuate the provision of Section 120-190(C)(3)(a) of Chapter 120 of the Municipal Code, Zoning Code, that authorizes the City Council to initiate a proposal to amend the Zoning Code text, the Zoning Map, the Official Map or the Comprehensive Plan (collectively, a Proposal), any member of the Council may introduce a proposed ordinance. The Neighborhood & Business Development (NBD) Committee shall be authorized, upon approval of a motion by a majority vote, to submit a Proposal to the Director of Planning and Zoning (Director) for review by the Planning Commission in accordance with Zoning Code §120-190(C)(3)(c) on behalf of the

Council without first discharging the Proposal to the Council. If the NBD Committee fails or refuses to refer a Proposal to the Director, the Council may refer the Proposal to the Director on a motion duly seconded by the affirmative vote of a majority of the Council. After the Planning Commission completes its review of a Proposal and transmits its recommendation to the City Clerk for Council action, the Proposal and the Planning Commission's recommendation shall be forwarded to the NBD Committee for review and discharge to the Council in the normal course as prescribed elsewhere in these rules and subject to the timely action, right of objection of affected and adjoining property owners, public hearing and notice requirements set forth in Zoning Code §120-190(C)(3)(d).

- XVIII. ROBERT'S RULES OF ORDER - The rules of parliamentary practice comprised in Robert's Rules of Order shall govern the Council in all cases except as herein provided.
- XIX. SUSPENSION OF RULES - Any rule of the Council, except as otherwise specifically provided in such rule, may be temporarily suspended by a vote of two-thirds of all the members present, unless such rule is prescribed by law.
- XX. AMENDMENT OF RULES - No permanent alteration shall be made in these rules except by means of a resolution that has been referred to a committee and adopted in accordance with Section XV.
- XXI. TIMING OF AMENDMENTS - Nothing in these rules shall prevent Council from choosing to amend any part of these rules during the course of the year, including but not limited to amendments to the structure and/or functioning of its committee system, provided such amendment is presented by means of a resolution in accordance with Section XX above and is not inconsistent with law.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

To the Council:

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

- Int. No. 436 Authorizing the sale of real estate
- Int. No. 437 Authorizing the acquisition of 21 Essex Street
- Int. No. 438 Appropriating American Rescue Plan Act funds for the demolition of Bull's Head Plaza
- Int. No. 439 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$280,000 Bonds of said City to finance costs of the demolition of Bull's Head Plaza
- Int. No. 442 Approving an appointment to the Rochester Environmental Commission
- Int. No. 459 Authorizing a purchase option agreement for the redevelopment of 1 and 2-12 Clarence Park

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

- Int. No. 440 Amending the Zoning Map by changing the zoning classification of 2120 St. Paul Street

Int. No. 441 Amending the Zoning Map by changing the zoning classification of 30, 35, 64, 65 and 68 Luther Circle

Respectfully submitted,
Michael A. Patterson (*abstained from Int. No. 437*)
LaShay D. Harris
Kimberly Smith
Mary Lupien
Miguel A. Meléndez, Jr.
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-369
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 six 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.

All six properties are parcels are listed on the attached spreadsheet under the heading, I. Negotiated Sale - Unbuildable Vacant Land. The first lot at 82 Arnett Boulevard will be divided in half and sold to the two adjoining owners – Joyce A. Forbes-Smith of 18 Greenbriar Drive to the east and Harris Hill Realty LLC (Samuel Reger, Member, 964 Buffalo Road) to the west. The second lot at 197 Atkinson Street is also being sold to Harris Hill Realty LLC who is adjoining owner. The third lot at 225 Hawley Street is being sold to Travis K. Clark of 155 Fairgate Street. The fourth lot at 567-569 Hudson Avenue will be divided in half and sold to the two adjoining owners – Mustafa Rushdan of 573 Hudson Avenue to the north and Iglesia Cristiana Casa De Oracion Y Restauracion (Christopher Ortiz, Senior Pastor, 545 Hudson Avenue) to the south. The fifth lot at 25 Love Street is being sold to Nicole Robinson of 21 Love Street. The sixth lot at 58- 58.5 Miller Street will be sold to William Daevon Nelson of 25 Cady Street. Each lot is 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 \$1,844.

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-219

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. #	Dimensions	Sq. ft.	Purchaser
East half of 82 Arnett Blvd	Portion of 120.66-2-27	16.5 x 106.8	1,743	Joyce A. Forbes-Smith
West half of 82 Arnett Blvd	Portion of 120.66-2-27	16.5 x 106.8	1,743	Harris Hill Realty LLC
197 Atkinson St	120.44-3-5	24.7 x 82.5	2,037	Harris Hill Realty LLC
225 Hawley St	120.76-1-66	35.5 x 102	3,622	Travis K. Clark
North half of 567-569 Hudson Av	Portion of 106.33-1-29	17.5 x 124	2,170	Mustafa Rushdan
South half of 567-569 Hudson Av	Portion of 106.33-1-29	17.5 x 124	2,170	Iglesia Cristiana Casa De Oracion Y Restauracion
25 Love St	120.34-2-30	33 x 132.5	4,372	Nicole Robinson
58-58.5 Miller St	106.43-1-3	28.7 x 80	2,294	William Daevon Nelson

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. 2022-370
Re: Acquisition – 21 Essex Street

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the acquisition of real property by negotiation. The residential property located at 21 Essex Street is adjacent to contiguous City-owned properties in the Bull's Head neighborhood and is a strategic acquisition opportunity to add to the Bull's Head project. The property summary including appraised fair market value, is as follows:

Address	Reputed Owner	SBL No.	Type	Maximum Acquisition Amount
21 Essex Street	Omari H. Bowens	120.42-2-29	Duplex	\$65,000

The maximum acquisition amount is supported through an independent appraisal performed by Stropp Appraisal in August 2022. The price does not include any consideration for environmental or geotechnical conditions and assumes an environmentally clean site.

The structure will be demolished for future redevelopment. Acquisition of the property, necessary closing costs, any relocation costs, and demolition of the structure will be funded through 2019-20 Cash Capital. A property map is attached.

Pursuant to the requirements of the New York State Environmental Quality Review Act (SEQRA), a determination regarding the environmental significance of this acquisition will be made prior to City Council approval.

Respectfully submitted,
 Malik D. Evans
 Mayor

Attachment No. AV-220

Ordinance No. 2022-370
 (Int. No. 437)

Authorizing the acquisition of 21 Essex Street

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

Section 1. The Council hereby approves the acquisition by negotiation of the parcel described below for a maximum purchase price of \$65,000. The purchase price as well as necessary closing costs shall be funded from 2019-20 Cash Capital.

Address	Reputed Owner	SBL #	Lot Size	Type
21 Essex Street	Omari H. Bowens	120.42-2-29	34' x 112'	2-Family

Section 2. Upon the date of closing, any City taxes and other charges owed against said parcel shall be canceled. Any taxes levied after the date of closing, while the City owns the parcel, shall also be cancelled. The property shall be conveyed to the City with no other outstanding liens.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote

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

Nays - None - 0.

Councilmember Patterson abstained due to a familial relationship.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2022-371
Ordinance No. 2022-372
Re: 2023-24 American Rescue
Plan Act funding – Asbestos
Abatement and Demolition
of City-owned Property

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

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the receipt and use of American Rescue Plan Act (ARPA) funding to complete asbestos abatement and demolition of the structure (aka: Bull's Head plaza) at 835-855 West Main Street (Project); see attached project location map. This legislation will:

- 1) Appropriate \$720,000 from the American Rescue Plan Act allocation for the Project; and
- 2) Authorize the issuance of bonds totaling \$280,000 and the appropriation of the proceeds thereof to finance the Project.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) established by the American Rescue Plan Act (ARPA). The Bull's Head revitalization project was included in the City of Rochester's Strategic Equity and Recovery Plan, shared with City Council on September 29, 2021. This project is an eligible use of ARPA funding under expenditure category 6.1 Revenue Replacement: Provision of Government Services of the SLFRF Final Rule as adopted by the United States Department of the Treasury.

The total cost of the Project is estimated to be \$1,000,000. The funds will allow the City to complete the Project which will be implemented under a competitive bid process. The Project is anticipated to be completed in Spring 2023.

Pursuant to the requirements of the New York State Environmental Quality Review Act (SEQRA), a determination regarding the environmental significance of the Project was made and a Negative Declaration was issued on July 29, 2021.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-221

Ordinance No. 2022 - 371
(Int. No. 438)

Appropriating American Rescue Plan Act funds for the demolition of Bull's Head Plaza

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

Section 1. The Council hereby appropriates the sum of \$720,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund demolition of the existing Bull's Head Plaza buildings located at 835-855 West Main Street, including the abatement of asbestos-containing building materials and any other tasks necessary to protect health and safety as part of the demolition process (the Project).

Section 2. The Mayor is hereby authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund the Project as authorized in Section 1 herein. Any such agreements and documents shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2022-372
(Int. No. 439)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$280,000 Bonds of said City to finance costs of the demolition of Bull's Head Plaza

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 costs of the demolition of the existing Bull's Head Plaza buildings located at 835-855 West Main Street, including the abatement of asbestos-containing building materials and any other tasks necessary to protect health and safety as part of the demolition process (the Project). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000. The plan of financing includes the issuance of \$280,000 bonds of the City, which are hereby appropriated to said Project, \$720,000 in American Rescue Plan Act funds appropriated to the Project in a concurrent ordinance and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$280,000 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 \$280,000. 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.12-a(b) of the Law, is ten (10) years.

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

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

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

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

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

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

Passed unanimously.

Councilmember Patterson introduced a motion to return Introductory No. 440 to Committee; Moved by Councilmember Harris; 2nd by Councilmember Peo. Motion passed unanimously. Introductory No. 440 returned to Committee.

Councilmember Patterson introduced a motion to return Introductory No. 441 to Committee; Moved by Councilmember Harris; 2nd by Councilmember Peo. Motion passed unanimously. Introductory No. 441 returned to Committee.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2022-52
Re: Appointment – Rochester
Environmental Commission

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

<u>Name</u>	<u>District Represented</u>
Katherine Powers	East (14610)

Ms. Powers' resume is on file with the City Clerk.

Respectfully submitted,
Malik D. Evans
Mayor

Resolution No. 2022-52
(Int. No. 442)

Approving an appointment to the Rochester Environmental Commission

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

Section 1. The Council hereby approves the appointment to the Rochester Environmental Commission of Katherine Powers as member for a term which shall expire on May 31, 2024.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-373
Re: Land Purchase Option Agreement
— 1 Clarence Park and 2-12
Clarence Park

Council Priority: Rebuilding and
Strengthening Neighborhoods

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to an Option Agreement with City Roots Community Land Trust, Inc. (Joseph DiFiore, Executive Director) for the purchase of two city-owned properties at 1 Clarence Park (SBL No. 105.43-2-54) and 2-12 Clarence Park (SBL No. 105.43-2-50.002).

Upon execution of the option agreement, City Roots Community Land Trust, Inc. will hold title to the properties but will partner with REACH Advocacy, Inc. (REACH) (Marcia Reaver, Project Manager) providing them with a 99-year land lease with 3 available 99 year renewals. REACH Advocacy will act as developer and manager of a pocket neighborhood of tiny homes to serve the low income population for those at or below 30% AMI (Area Median Income).

The project will contain 12 Tiny House style living units, a community center/meeting space, an onsite manager dwelling, and a community garden. Prospective tenants for the project will be screened by a committee including employees of REACH, the on-site manager, and 1 or 2 local neighbors. Prospective occupants will have to sign a lease, apply for rent subsidies (vouchers), and work with a case manager. Catholic Family Center's Youth Build Program and Edison Tech Students will be involved in the construction. REACH will partner with MC Collaborative to provide support services to tenants.

The purchase price of \$8,360.00 was established via independent appraisal by Bruckner, Tillet, Rossi, Cahill & Associates in July, 2022. The applicant has raised a substantial portion of funding for three construction phases, but needs site control to apply for additional funding sources. The Option Agreement will give them adequate site control for their final fundraising. The funding for the first phase will include all infrastructure costs and soft costs involved with the project.

Prior to the Transfer of title, Purchaser shall provide evidence to the City that they have substantially completed repairs required pursuant to the Work Schedule, issued by the City's Division of Code Enforcement and reviewed and approved by the Commissioner of Neighborhood and Business Development, and received Certificates of Occupancy for a substantial number of properties owned by Purchaser within the municipal boundaries of the City of Rochester. The determination of satisfactory compliance shall be at the discretion of the Commissioner of Neighborhood and Business Development.

Additionally, in order for the purchaser to exercise its option to purchase the properties, purchaser will be required to submit evidence to the City of commitment of funds necessary to finish Phase I of their project, and any variances or special permits required from Zoning or the City Planning Commission. Upon receipt of this evidence, the City will complete the closing.

REACH engaged in outreach to all the neighbors within 300 feet of the project location and mailed letters to all properties advising them of the proposed project. Soon afterwards, REACH expanded their efforts to include all properties within a 600-foot radius of the project with hand-delivered flyers and in-person discussions. They received a substantial amount of support, including support letters from the Edgerton Neighborhood Association, Rochester Refugee Settlement Services, and the Providence Housing Development Corporation. REACH also attended several meetings of the Edgerton Community Association, attended the Edgerton Neighborhood Association picnic and the Lyell-Otis Community Association picnic to present and answer questions about this project. REACH offered to hold a community meeting for anyone with concerns, but none of the area associations have organized such an event.

Pursuant to the requirements of the New York State Environmental Quality Review Act (SEQRA), a determination will be made prior to City Council approval.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-222

Ordinance No. 2022-373
(Int. No. 459)

Authorizing a purchase option agreement for the redevelopment of 1 and 2-12 Clarence Park

WHEREAS, the City has received a joint proposal from City Roots Community Land Trust, Inc. (City Roots) and REACH Advocacy, Inc. (REACH) (together and collectively, the Developers) to develop and operate a pocket neighborhood consisting of twelve Tiny House style dwelling units, a dwelling for an on-site manager, a community center/meeting space and other amenities to serve residents with extremely low incomes at or below 30% of the Area Median Income (the Project) on an approximately 0.96-acre site comprised of two vacant City-owned parcels known as 1 Clarence Park and 2-12 Clarence Park (collectively, the Site); and

WHEREAS, the City desires to enter into a purchase option agreement authorizing City Roots to acquire the Site for a purchase price of \$8,360, which is based on an independent fair market value appraisal, and authorizing City Roots to thereupon provide a long-term ground lease of the Project Site to REACH to develop and operate the Project.

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

Section 1. The Council hereby approves and authorizes the City to enter into a purchase option agreement with City Roots for the following parcels owned by the City and comprising the Site for an appraised value of \$8,360:

Address	SBL#	Size
1 Clarence Park	105.43-2-54	± 0.07 acre
2-12 Clarence Park	105.43-2-50.002	± 0.89 acre

for the purpose of establishing the Project in accordance with the terms and conditions set forth herein.

Section 2. The Project's twelve dwellings shall be rented to individuals who are at least eighteen years of age with incomes at or below 30% of the Area Median Income ("AMI") and who will be charged rents that do not exceed 30% of their income.

Section 3. The agreement shall establish a term of one year for City Roots to exercise the purchase option, subject to the satisfaction of certain prior conditions, including but not limited to: a) the Developers raising sufficient funds to construct and operate the Project; b) the Developers obtaining the zoning and other land use approvals necessary to develop the Project; and c) City Roots committing to and making substantial progress on a City-approved work plan to remedy housing and property code violations on other properties owned by City Roots in the city.

Section 4. The deed of the Site to City Roots shall contain a reverter clause that provides that title to the Site may revert to the City in the event that the Developers fail to satisfy certain conditions subsequent, including but not limited to: a) City Roots entering into a ground lease with REACH to develop and operate the Project for a term of 99 years with the option for the parties to extend the term by up to three additional periods of 99 years each; and b) REACH completing and obtaining Certificates of Occupancy for twelve Project dwelling units, as well as completing other elements of the Project, on a timely basis in compliance with a phased development schedule set forth in the agreement.

Section 5. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 6. The City is hereby authorized to enter into such other agreements and to execute such other instruments as may be necessary to implement the actions authorized herein.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Lightfoot
December 20, 2022

To the Council:

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

- | | |
|--------------|---|
| Int. No. 443 | Authorizing an amendatory agreement for the Milling & Resurfacing Project on Chestnut Street (East Broad Street to East Main Street), East Avenue (East Main Street to Alexander Street), and North Goodman Street (Peck Street to Bay Street and Clifford Avenue to City Line) |
| Int. No. 444 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,030,000 Bonds of said City to finance the Summer 2022 Lead Service Replacement Program 2B (Adjacent Street Maintenance) project, <u>as amended</u> |
| Int. No. 445 | Authorizing an agreement relating to the Multi-Site Parks Master Plan |
| Int. No. 446 | Appropriating American Rescue Plan Act funds for the Aqueduct Street Group project |
| Int. No. 447 | Appropriating American Rescue Plan Act funds for the Joseph A. Floreano Rochester Riverside Convention Center South Terrace and Addition Project |

- Int. No. 448 Authorizing an agreement for occupational health and safety training services relating to the REJob 3.0 Training program
- Int. No. 449 Authorizing an agreement for occupational health screening services relating to the REJob 3.0 Training program
- Int. No. 450 Authorizing an agreement for the Conduit Modernization Project
- Int. No. 451 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,375,000 Bonds of said City to finance a portion of the City's 2023 Water Main Cured in Place Pipe Project
- Int. No. 452 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$900,000 Bonds of said City to finance the costs of the 2023 Water Mains Extensions and Improvements Project

Respectfully submitted,
 Willie J. Lightfoot (*absent*)
 Mitch Gruber
 Jose Peo
 Mary Lupien
 Miguel A. Meléndez, Jr. (*abstained from Int. No. 447*)
PARKS & PUBLIC WORKS COMMITTEE

Received filed and published

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2022-374
 Re: Milling and Resurfacing Project
 Chestnut Street (East Broad Street
 to East Main Street), East Avenue
 (East Main Street to Alexander Street),
 North Goodman Street (Peck Street
 to Bay Street and Clifford Avenue
 to City Line)

Council Priority: Jobs and Economic
 Development

Comprehensive Plan 2034 Initiative Area:
 Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the Milling and Resurfacing Project, which includes segments of Chestnut Street, East Avenue and North Goodman Street as described above. This legislation will authorize an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C (Joseph Dipico, C.E.O., 280 East Broad Street, Rochester, New York) to provide additional engineering design and construction administration services for the project. The original agreement for \$355,000 was authorized in April 2021 (Ordinance No. 2021-113). This amendment will increase the maximum compensation by \$30,000 to a maximum total of \$385,000. The amendment will be funded with 2021-22 Cash Capital.

The amendatory agreement will provide additional design and construction support services related to expanded project limits on Chestnut Street, changes necessary to better accommodate new development opportunities on North Goodman Street and for various project adjustments.

The project includes, but is not limited to milling and resurfacing of the pavement, spot curb replacements, installation or upgrade of sidewalk curb ramps, adjustment and repair of manholes, receiving basins, and water valve castings, replacement of traffic pavement markings and the addition of on-street bicycle facilities. These improvements will enhance the surface drainage and riding quality of the roadway, improve ADA accessibility, and expand the useful life of the pavement structure.

Construction began in spring 2022 with substantial completion anticipated in fall 2022.

The amendatory agreement will result in the creation and/or retention of the equivalent of 0.3 fulltime jobs.

The term of the agreement will not change and shall be three (3) months after completion of a two-year guarantee inspection of the project.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-223

Ordinance No. 374
(Int. No. 443)

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

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide additional engineering design and construction administration services related to the Milling & Resurfacing Project for Chestnut Street (East Broad Street to East Main Street), East Avenue (East Main Street to Alexander Street), and North Goodman Street (Peck Street to Bay Street and Clifford Avenue to City Line) (the Project). The amendatory agreement shall modify the existing agreement that was authorized by Ordinance No. 2021-113 to increase the maximum compensation by \$30,000 to a new maximum total of \$385,000. The amendatory compensation shall be funded by \$30,000 from 2021-22 Cash Capital. The term of the agreement shall extend until three months after completion of a two-year guarantee inspection of the Project.

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. 2022-375
Re: Summer 2022 Lead Service
Replacement Program 2B
(Adjacent Street Maintenance)

Council Priority: Deficit Reduction
and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Summer 2022 Lead Service Line Replacement Program 2B project. This legislation will authorize the issuance of street bonds totaling \$1,030,000 and the appropriation of the proceeds thereof to finance a portion of the construction for the project.

The project includes the chip seal of residential streets both with and without lead service line replacements. The project received American Rescue Plan Act (ARPA) funds for streets with lead service line replacements (Ordinance No. 2022-63). The streets without lead service line replacements are not eligible for ARPA funds. Additional funds in the amount of \$1,052,881.97 are required to finance chip seal treatment of those streets.

The project was designed by the City of Rochester Water Bureau and the City of Rochester Bureau of Architecture and Engineering Street Design Division.

Bids for construction were received on October 27, 2022. The apparent low bid of \$9,534,523.30 was submitted by Ramsey Constructors, Inc. (Chris Ramsey, C.E.O., 5711 Gateway Park, Lakeville, New York).

The project will be funded as follows:

Source of Funds	Amount
ARPA (Ordinance No. 2022-63)	\$8,481,641.33
Bonds authorized herein	\$1,030,000.00
2022-23 Cash Capital	\$22,881.97
Total	\$9,534,523.30

Construction is anticipated to begin in winter 2022/2023 with substantial completion anticipated in fall 2024.

The construction of the chip seal treatment on residential streets without lead service line replacements will result in the creation and/or retention of the equivalent of 11.4 full-time jobs.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-224

Ordinance No. 2022-375
(Int. No. 444)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,030,000 Bonds of said City to finance the Summer 2022 Lead Service Replacement Program 2B (Adjacent Street Maintenance) project, as amended

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of chip sealing the street segments noted on the attached Project Street List annexed hereto as Exhibit A, which comprise the Summer 2022 Lead Service Replacement Program 2B (Adjacent Street Maintenance) project (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,052,881.97. The plan of financing includes the issuance of \$1,030,000 bonds of the City, which amount is hereby

appropriated for the Project, \$22,881.97 in 2022-23 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,030,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,030,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20.b of the Law, is ten (10) years.

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

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

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

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

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

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

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

Exhibit A
Project Street List

Street Name	From	To
Flower City Pk	Primrose St	Lake Ave
Benwell Rd	City Line	Dewey Ave
Birr St	Dewey Ave	Lake Ave
Bryan St	~400' W of Archer St	Archer St
Burley Rd	Lake Ave	Cul-de-Sac
Burling Rd	West end	Dewey Ave
Cheltenham Rd	Lake Ave	Falleson Rd
Devitt Rd	W Ridge Rd	Dorothy Ave
Dove St	Birr St	Augustine St
Eastman Ave	Dewey Ave	Goodwill St
Falleson Rd	Burley Rd	Boxart St
Harding Rd	Lake Ave	N Burley Rd
Lakeview Pk	Dewey Ave	Lake Ave
Lakeview Ter	Lakeview Pk	Eldorado PI
Leander Rd	Hopper Ter	Falleson Rd
Lyncrest Dr	McCall Rd	Shouthampton <u>Southampton Dr</u>
Mayflower St	Eastman Ave	Dorothy Ave
N Burley Rd	Cul-de-Sac	Cherry Rd
Palm St	Desmond St	W Ridge Rd
Parkview St	South End	Riverside St
Redwood Rd	Lake Ave	Maplewood Dr
Riverside St	Lake Ave	Maplewood Dr
Seneca Pkwy	West End	Lake Ave
Southampton Dr	Lyncrest Dr	Lyncrest Dr
W Boulevard Pkwy	West End	Lake Ave
W Boulevard Pkwy	Boulevard Pkwy	North End
W Boulevard Pkwy Ramp	Boulevard Pkwy	W Boulevard Pkwy
W Cheltenham Rd	West End	Lake Ave

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-376
Re: Agreement – SWBR Architecture,
Engineering & Landscape
Architecture, D.P.C. – Multi-Site
Parks Master Plan

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation establishing \$150,000 as maximum compensation for an agreement with SWBR Architecture, Engineering & Landscape Architecture, D.P.C. (Thomas R. Gears, C.E.O., 387 East Main Street, Suite 500, Rochester, New York) for design services for the Multi-Site Parks Master Plan project. The cost of the agreement will be financed from 2020-21 Cash Capital.

The project includes master planning services for exterior spaces at three City-owned parks and recreation facilities. The properties include: Willie Walker Lightfoot R-Center, Edgerton Park and R-Center, and La Grange Park. The Consultant will provide master planning services to enhance the usability, functionality, safety, and accessibility of the three sites for all users. Schematic plans and estimates will be developed for each site along with phasing recommendations to guide future investment.

The Consultant will provide schematic design, cost estimating, community engagement, and master planning services. SWBR Architecture, Engineering & Landscape Architecture, D.P.C. was selected for design services through a request for proposal process, which is described in the attached summary.

This proposed legislation has been developed by the Department of Environmental Services (DES) in collaboration with the Department of Recreation and Human Services (DRHS).

Consultant services will begin in early 2023; it is anticipated that the project will be complete in late fall 2023. The project will result in the creation and/or retention of the equivalent of 1.63 full-time jobs.

The term of the agreement shall extend until six (6) months after delivery of the finalized Master Plan.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-225

Ordinance No. 2022-376
(Int. No. 445)

Authorizing an agreement relating to the Multi-Site Parks Master Plan

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with SWBR Architecture, Engineering & Landscape Architecture, D.P.C. to provide design services and recommendations for the Multi-Site Parks Master Plan (the Plan Recommendations). The maximum compensation for the agreement shall be \$150,000, which shall be funded by 2020-21 Cash Capital. The term of the agreement shall extend until six months after delivery of the final Plan Recommendations.

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:

Re: Ordinance No. 2022-377
Appropriation – American Rescue
Plan Act, Aqueduct Street Group

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the Aqueduct Street Group Project. This legislation will appropriate \$2,000,000 of American Rescue Plan Act (ARPA) funding to finance a portion of the project.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). This project is an eligible use of ARPA funding under the 6.1 Provision of Government Services Expenditure Category.

In coordination with the ROC the Riverway Initiative and construction of the Constellation Brands headquarters, the Aqueduct District is being transformed into a more pedestrian friendly area, while still accommodating needs for vehicular access. Specifically, changes are being made to on-street parking, and the direction of traffic for Aqueduct Street, Graves Street, and Bank Place. Street improvements include, but are not limited to pavement reconstruction, sidewalks, curb ramps, catch basins, and adjustment and repair of manholes and water valve casings. These improvements will enhance the surface drainage and riding quality of the roadway, improve ADA accessibility, and expand the useful life of the pavement structure.

The limits of the Aqueduct Street Group improvements include:

- a) Aqueduct Street (Bank Place to East Main Street)
- b) Bank Place (Exchange Boulevard to Aqueduct Street)
- c) Basin Street (Exchange Boulevard to Aqueduct Street)
- d) Graves Street (Race Street to East Main Street)
- e) Race Street (Aqueduct Street to Graves Street)

Final design phase of the project was authorized in July 2022 (Ordinance No. 2022-211). The expenditure of the ARPA funds appropriated herein shall be limited to the construction phase of the project.

It is anticipated that construction will begin in spring 2023 and be substantially complete in late 2023. The funding will result in the creation and/or retention of the equivalent of 21.7 full-time jobs.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-226

Ordinance No. 377
(Int. No. 446)

Appropriating American Rescue Plan Act funds for the Aqueduct Street Group project

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

Section 1. The Council hereby appropriates the sum of \$2,000,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund the Aqueduct Street Group project consisting of pavement reconstruction, other street and sidewalk improvements, and ancillary amenities on Aqueduct Street (Bank Place to East Main Street), Bank Place (Exchange Boulevard to Aqueduct Street), Basin Street (Exchange Boulevard to Aqueduct Street), Graves Street (Race Street to East Main Street) and Race Street (Aqueduct Street to Graves Street) (collectively, the Project).

Section 2. The Mayor is hereby authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund said Project as authorized in Section 1 herein. Any such agreements and documents shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nays – Vice President Lupien, Councilmember Martin - 2.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-378
Re: Appropriation – American Rescue
Plan Act, Joseph A. Floreano Rochester
Riverside Convention Center (RRCC)
South Terrace and Addition

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the Joseph A. Floreano RRCC South Terrace and Addition Project. This legislation will appropriate \$6,000,000 of American Rescue Plan Act (ARPA) funding to finance a portion of the project.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). This project is an eligible use of ARPA funding under the 6.1 Provision of Government Services Expenditure Category.

This ROC the Riverway project encompasses a building addition and modernization to the southwest face of the RRCC along the river to create a new and revitalized event space that directly engages with the downtown riverfront. The expanded space will enable RRCC patrons to participate in convention center events and enjoy the spectacular views of the majestic Genesee River simultaneously. The project will also include, but is not limited to, RRCC building façade repairs and strategic river wall repairs. This project meets essential ROC the Riverway goals including repair and maintenance of critical infrastructure, and re-orientation of internal and external building spaces towards the water and riverfront public spaces. The expenditure of the ARPA funds appropriated herein shall be limited to the procurement of professional design services until such time as an environmental impact review of the Project, under the State Environmental Quality Review Act, is completed.

It is anticipated that construction will begin in spring 2024 and be substantially complete in late 2026. The additional funding will result in the creation and/or retention of the equivalent of 65.2 full-time jobs.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-378
(Int. No. 447)

Appropriating American Rescue Plan Act funds for the Joseph A. Floreano Rochester Riverside Convention Center South Terrace and Addition Project

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

Section 1. The Council hereby appropriates the sum of \$6,000,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund the Joseph A. Floreano Rochester Riverside Convention Center South Terrace and Addition Project (the Project). The expenditure of the ARPA funds appropriated herein shall be limited to the procurement of professional preliminary design services until such time as environmental impact review of the Project is completed in accordance with the State Environmental Quality Review Act and City Code Chapter 48.

Section 2. The Mayor is hereby authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund said Project as authorized in Section 1 herein. Any such agreements and documents shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Gruber, Harris, Lightfoot, Patterson, Peo, Smith - 6.

Nays – Vice President Lupien, Councilmember Martin - 2.

President Meléndez abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-379
Re: USEPA Brownfields Job Training
Program Professional Services
Agreement – Occupational Health
and Safety Training Services

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
More Jobs and Neighborhood Development/
/Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City's Brownfields Job Training (BJT) program.

This legislation will establish \$75,000 as maximum compensation for an agreement with Yehl Environmental Incorporated, dba Cornerstone Training Institute, (Darren Yehl, C.E.O., 460 State Street, Rochester, NY) to provide occupational health and safety training services as part of the City's REJob 3.0 Training Program (REJob 3.0).

REJob 3.0 is a comprehensive, multi-partner effort designed to lead to sustainable, long-term environmental employment and to ensure affected residents share in the economic benefits derived from brownfield redevelopment. REJob 3.0 will once again specifically target dislocated workers, severely underemployed individuals, and unemployed individuals including low-income and minority residents, veterans, and those with little or no advanced education.

REJob 3.0 will recruit and train up to 60 unemployed or underemployed City residents in core occupational and environmental areas that provide certifications to work in the asbestos abatement, hazardous waste remediation, and environmental cleanup fields. Cornerstone Training Institute will provide training to all students as well as additional training for certifications for high achieving students after the core training is completed.

The cost of the agreement will be financed from \$75,000 in United States Environmental Protection Agency (USEPA) BJT grant funds authorized under Ordinance 2022-345. The City issued a request for proposals (RFP) for occupational health and safety training services in October 2022 and received two (2) proposals. Cornerstone Training Institute was selected based on the experience and expertise of the proposed project team, their ability to meet the City's schedule, and the quality and cost of their proposal.

It is anticipated that the project will begin in the winter of 2023.

The proposed agreement will have an initial term of two (2) years with a provision for a one-year extension based on mutual written agreement.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-227

Ordinance No.2022-379
(Int. No. 448)

Authorizing an agreement for occupational health and safety training services relating to the REJob 3.0 Training program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Yehl Environmental Incorporated to provide occupational health and safety training services as part of the Rochester Environmental Job (REJob 3.0) Training program. The maximum compensation for the agreement shall be \$75,000, which shall be funded from the United States Environmental Protection Agency (USEPA) Brownfields Job Training grant funds appropriated in Ordinance No. 2022-345. The term of the agreement shall be two years with the option to extend for one additional year upon mutual agreement.

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. 2022-380
Re: USEPA Brownfields Job
Training Program Professional
Services Agreement – Occupational
Health Screening Services

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
More Jobs and Neighborhood Development/
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to Occupational Health Screening Services as part of the City's Brownfields Job Training Program (BJT).

This legislation will establish \$23,000 as maximum compensation for an agreement with WorkFit Medical, LLC (Brian Banas, Chief Executive Officer, 1160 Chili Avenue, Suite 200, Rochester, NY) to provide occupational health screening services including drug and alcohol testing and independent medical examinations to candidates selected to participate in the City of Rochester REJob 3.0 Training Program (REJob 3.0). Drug testing parameters, which include THC, are determined by United States Environmental Protection Agency (USEPA).

REJob 3.0 is a comprehensive, multi-partner effort designed to lead to sustainable, long-term environmental employment and to ensure affected residents share in the economic benefits derived from brownfield redevelopment. REJob 3.0 will once again specifically target dislocated workers, severely underemployed individuals, and unemployed individuals including low-income and minority residents, veterans, and those with little or no advanced education.

The cost of the agreement will be financed from \$23,000 in USEPA BJT grant funds authorized under Ordinance 2022-345. The City issued a request for proposals (RFP) for occupational health screening services in October 2022 and received three (3) responses. WorkFit Medical, LLC was selected based on the experience and expertise of the proposed project team, their ability to meet the City's schedule, and the quality and cost of their proposal.

It is anticipated that the project will begin in the winter of 2023.

The agreement will have an initial term of two (2) years with a provision for a one-year extension based on mutual written agreement.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-228

Ordinance No. 2022-380
(Int. No. 449)

Authorizing an agreement for occupational health screening services relating to the REJob 3.0 Training program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with WorkFit Medical, LLC to provide occupational health screening services including drug and alcohol testing and

independent medical examinations to candidates selected to participate in the City of Rochester Environmental Job (REJob 3.0) Training program. The maximum compensation for the agreement shall be \$23,000, which shall be funded from the United States Environmental Protection Agency (USEPA) Brownfields Job Training grant funds appropriated in Ordinance No. 2022-345. The term of the agreement shall be two years with the option to extend for one additional year upon mutual agreement.

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. 2022-381
Re: Agreement – Bergmann Associates,
Architects, Engineers, Landscape
Architects & Surveyors, D.P.C.
- Conduit Modernization Project

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation establishing \$1,200,000 as maximum compensation for an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Joseph Dopico, C.E.O., 280 East Broad Street, Suite 200, Rochester, New York) for services that include, but are not limited to evaluation, preliminary design, final design, bid phase services, and construction administration for the Conduit Modernization Project. The cost of this agreement will be funded from the 2019-20 (\$293,000) and 2020-21 (\$907,000) Cash Capital Budget.

The three conduits (Conduits 1, 2 and 3) are the main transmission source of drinking water to the City of Rochester. They were installed in phases between 1874 through 1918 and have been rehabilitated in phases over the years. This project will focus on the area of the conduits located south of Rush Reservoir (between West Bloomfield and Honeoye) and the section of conduits crossing underneath the NYS Thruway to improve pressure and flow control. Extensive research has shown the conduits have been experiencing severe corrosion pitting, causing leaks and costly repairs. This project is intended to extend the City's operation and reliability of the conduits to provide clean potable water to its residents for drinking water, fire protection and other uses into the foreseeable future.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. was selected through a request for proposal process as described in the attached summary. Bergmann has successfully completed projects for the City in the past, including the Water Supply Planning Study Rush Reservoir to City in 2006. Bergman has extensive experience in conducting hydraulic modeling, corrosion analysis, and piping rehabilitation/replacement for water systems.

Design is anticipated to begin in winter of 2023 and construction to begin in spring of 2024.

The term of the agreement shall remain until 2 years after the completion of the project.

Respectfully submitted,
Malik D. Evans
Mayor

Authorizing an agreement for the Conduit Modernization Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide services including but not limited to evaluation, preliminary design, final design, bid phase services and construction administration for the Conduit Modernization Project involving the three main conduits conveying potable water to the City (the Project). The maximum compensation for the agreement shall be \$1,200,000, which shall be funded in the amounts of \$293,000 from 2019-20 Cash Capital and \$907,000 from 2020-21 Cash Capital. The term for the agreement shall continue until two years after completion of the Project.

Section 2. The agreement authorized herein 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. 2022-382
Re: Bond Authorization – 2023 Water
Main Cured in Place Pipe Project

Council Priority: Deficit Reduction and
Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$1,375,000 and appropriating the proceeds thereof to fund a portion of the 2023 Cured in Place Pipe (CIPP) Project.

The 2023 CIPP project will structurally rehabilitate 0.625 miles of deteriorated water mains on the following streets:

Street Name	Limits	Rehabilitation Reason
State Street (Holly System)	Platt St. to 300' South of Platt St.	2 Water Main Breaks Years: 1993 - 1997
South Avenue	Elmwood Ave. to Fort Hill Ter.	6 Water Main Breaks Years: 2004 - 2022
Cynthia Lane	Sandra Lane to North dead end	5 Water Main Breaks Years: 1984 - 2015
Branch Street	Norton Street to North dead end	4 Water Main Breaks Years: 2015 - 2022

This is a trenchless rehabilitation process where a certified installer inserts a felt tube impregnated with a polymer resin into the existing water main. After the material has cured it forms a fully structural close fitting liner pipe within the existing water main, thus extending its useful life.

The total cost of the project is estimated to be \$1,500,000. The balance of funding will be \$125,000 from 2019-20 Cash Capital.

Work is expected to be performed during the spring and summer of 2023. Project design, administration, and construction inspection will be performed by Water Bureau staff.

This project results in the creation and/or retention of the equivalent of 16 full-time jobs.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-230

Ordinance No. 2022-382
(Int. No. 451)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,375,000 Bonds of said City to finance a portion of the City's 2023 Water Main Cured in Place Pipe Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the structural rehabilitation of approximately 0.625 miles of deteriorated water mains through the City's 2023 Water Main Cured in Place Pipe Project, including mains beneath the portions of those streets segments designated on the attached Schedule A (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,500,000. The plan of financing includes the issuance of \$1,375,000 bonds of the City, which amount is hereby appropriated for the Project, \$125,000 in 2019-20 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,375,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,375,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the

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

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

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

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

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

Schedule A

Street Name	Limits
State Street (Holly System)	Platt Street to 300 feet South of Platt Street
South Avenue	Elmwood Avenue to Fort Hill Terrace
Cynthia Lane	Sandra Lane to North dead end
Branch Street	Norton Street to North dead end

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-383
Re: Bond Authorization – 2023 Water
Mains Extensions & Improvements
Project

Council Priority: Deficit Reduction
and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$900,000 and appropriating the proceeds thereof to fund a portion of the 2023 Water Mains Extensions and Improvements Project.

This project will replace 1,300 feet of deteriorated and deficient 6-inch water main on State Street between Lyell Avenue and Brown Street. This section of water main has experienced 4 water main breaks between the years of 1999 and 2021. This project will also include replacement of lead services as identified during the project.

The funds provided will be used to replace the existing water main and residential lead services to increase the safety and reliability of the water system, and to reduce the amount of lead in the drinking water.

The total cost of the project is estimated to be \$1,000,000. The balance of funding will be \$100,000 from 2019-20 Cash Capital.

Work is expected to be performed during the spring and summer of 2023. Project design, administration, and construction inspection will be performed by Water Bureau staff.

This project results in the creation and/or retention of the equivalent of 10 full-time jobs.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-231

Ordinance No. 2022-383
(Int. No. 452)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$900,000 Bonds of said City to finance the costs of the 2023 Water Mains Extensions and Improvements Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of replacing approximately 1,300 linear feet of water main located on State Street between Lyell Avenue and Brown Street (the "Project"). The estimated maximum cost of this portion of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000. The plan of financing includes the issuance of \$900,000 bonds of the City, which amount is hereby appropriated for the Project, \$100,000 in 2019-20 Cash Capital and the levy and collection of taxes on

all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$900,000 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 \$900,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

Passed unanimously.

By President Meléndez
December 20, 2022

To the Council:

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

- | | |
|--------------|---|
| Int. No. 453 | Authorizing an agreement relating to Early Warning Software for the Police Department |
| Int. No. 454 | Authorizing an amendatory agreement for the Fire Station Alerting System |
| Int. No. 455 | Authorizing an intermunicipal agreement with the County of Monroe for funding of firearms instruction |

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

- | | |
|--------------|---|
| Int. No. 460 | Authorizing agreements relating to the Rochester Peace Collective |
|--------------|---|

Miguel A. Meléndez Jr.
Mary Lupien (*voted against Int. No. 455*)
Mitch Gruber
LaShay D. Harris
Willie J. Lightfoot (*absent*)
Stanley Martin (*voted against Int. No. 453 & 455*)
Michael A. Patterson
Jose Peo
Kimberly Smith
PUBLIC SAFETY COMMITTEE

Received filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-384
Re: Agreement – RASE Funds
– Early Warning Software
for RPD

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$100,000 annually for up to five years for an agreement with Benchmark Analytics & Consulting, Inc. (Principal: Ron Huberman), Chicago, IL, for the annual software licensing, integration fees, project management, training, and technical support costs of the Benchmark personnel management system. The system consists of three integrated modules: Benchmark Management System, First Sign Early Intervention, and Case Action Response Engine. The cost of this agreement will be funded from the 2022-23 Budget of Undistributed RASE allocations for the first year, and

from future budgets of the Police Department upon approval for the additional years. The term of the agreement will be for three years with the option to renew for two additional one-year periods.

The RASE Commission recommended that the Rochester Police Department review its early warning and risk management workflows to ensure any personnel concerns are identified and addressed as quickly as possible. Benchmark Analytics' system is a comprehensive, top-to-bottom software platform offering several analytics driven, integrated management modules designed to capture all of the day-to-day operational data points in one location. Specifically, the First Sign Early Intervention module is the only existing software-enabled, research-based early warning and intervention model available today.

Benchmark Analytics' system is scalable and configurable to address the specific requirements, policies, goals and mission of the department and can be designed to integrate with RPD's existing systems. Furthermore, it provides a complete view of the police department to ensure the integrity and safety of all officers, units and supervisors.

A No RFP Justification Statement is attached.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-232

Ordinance No. 2022-384
(Int. No. 453)

Authorizing an agreement relating to Early Warning Software for the 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 a professional services agreement with Benchmark Analytics & Consulting, Inc. to provide software licensing, integration, project management, training and technical support to establish a personnel management system for the Rochester Police Department that includes First Sign Early Intervention and a Case Action Response Engine (the System). The agreement shall have a term of three years, with the option to extend for up to two additional periods of one year each. The maximum annual compensation shall be \$100,000, which shall be funded from the 2022-23 Budget of Undistributed Expenses for the first year and from a future year's Budget of the Police Department for each subsequent year, 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 by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Patterson, Smith - 7

Nays -Councilmembers Martin, Peo – 2.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-385
Re: Agreement Amendment– City of
Rochester Alerting System

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Bryx, Inc. (Rochester, NY, David Earl Thomas, President) to upgrade the City's Fire Station Alerting System. The legislation will increase the maximum compensation for the existing agreement, which was authorized by Ordinance No. 2020-77 and amended by Ordinance No. 2021-323, by \$382,363 to a new total of \$1,434,363. All other terms and conditions of the agreement will remain the same, including the 3-year term.

In 2020, the Rochester Fire Department embarked upon an upgrade to the Fire station alerting system that automates the dispatch and alerting process for fire and rescue personnel to respond to emergency incidents. This amendment will enable a modification of hardware infrastructure discovered of 15 firehouse locations during installation. The hardware discovered is outdated and will become obsolete over time if not replaced with new hardware that is compliant with the Bryx fire alerting system. The modification of hardware will improve software and hardware compliance with the new fire alerting system, to further ensure seamless functioning of the system.

The amendatory amount will be funded from bond proceeds authorized for this project in Ordinance No. 2020-249.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-385
(Int. No. 454)

Authorizing an amendatory agreement for the Fire Station Alerting System

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Bryx, Inc. to provide additional services, hardware and software for the Fire Station Alerting System (System). The amendatory agreement shall amend the existing agreement authorized in Ordinance No. 2020-277 and amended in Ordinance No. 2021-323 by increasing the maximum compensation by \$382,363 to a new total of \$1,434,363. The amendatory amount shall be funded from bond proceeds appropriated for the Project in Ordinance No. 2020-249.

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. 2022-386
Re: Inter-Municipal Agreement
- Monroe County, Firearms
Instruction

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the continuation of the intermunicipal agreement with Monroe County for the receipt and use of funding for the Firearms Instruction Program in the amount of \$55,675. The term of the agreement is January 1, 2023 through December 31, 2023.

The County provides reimbursement for a portion of the salary and benefits of Rochester Police Department firearms instructors to train officers in Monroe County police agencies. No budget amendment is needed as the positions and the associated funding were anticipated and included in the 2022-23 Budget of the Police Department.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-386
(Int. No. 455)

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

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe in the amount of \$55,675 to reimburse the City for providing firearms instruction to Monroe County police agencies through the Firearms Instruction Program. The term of the agreement shall be January 1, 2023 through December 31, 2023.

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.

Motion to discharge Int. No. 460
Moved by Councilmember Patterson; 2nd by Vice President Lupien.

Motion to discharge 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. 2022-387
Re: Authorizing Agreements - Rochester
Peace Collective

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to authorizing agreements for violence prevention initiatives as part of the Rochester Peace Collective Initiative; \$5,000,000 in funds provided to the City pursuant to the American Rescue Plan Act of 2021 (ARPA) were originally appropriated by City Council for this purpose in Ordinance No. 2022-140. This legislation will:

1. Establish \$3,095,000 as total maximum compensation for the agreements of organizations as described in the chart on the second page. 11 of the 13 agreements will be for a one-year term, with the option of one two-year renewal. The remaining two will be for a one-year term as noted in the table below. All 13 agreements will have an optional no cost, six-month extension, to ensure that the organizations can exhaust all of their awards.

The remaining balance of \$1,905,000 from the appropriation be used for an additional seven agreements, evaluation and monitoring of the organizations in the Rochester Peace Collective; media campaigns and other resources; additional staffing for the Office of Violence Prevention Programs; and unforeseen expenses or agreements.

Further information and description of the projects is included in the accompanying attachments. These organizations were selected through a request for proposals process described in the vendor selection forms. Each consultant will be required to provide reporting to the City periodically to ensure that services are being rendered as described in each proposal.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-233

Ordinance No. 2022-387
(Int. No. 460)

Authorizing agreements relating to the Rochester Peace Collective

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 each of the following organizations to provide violence prevention programming for the Rochester Peace Collective. The initial term for each agreement shall be one year and, for some agreements, there shall be an option to extend the term for up to one additional period of two years. In addition, each agreement shall provide an option to extend the term for up to six additional months in the event that a portion of the compensation funds provided for herein remains unspent at the expiration of an initial or optional extended term, provided however that said term extension shall not extend past June 30, 2026. The maximum compensation for the initial term and, where applicable, for the optional extended term of each agreement shall be as follows:

Organization	Maximum Compensation (first year)	Maximum Compensation Amount (for optional second year)	Maximum Compensation Amount (for optional third year)	Maximum Compensation (total)
Action for a Better Community, Incorporated	\$83,333.33	\$83,333.33	\$83,333.34	\$250,000.00

Agape Haven of Abundance, Inc.	\$50,000.00	N/A	N/A	\$50,000.00
Baden Street Settlement of Rochester, Inc.	\$66,666.66	\$66,666.66	\$66,666.68	\$200,000.00
Cameron Community Ministries, Inc.	\$100,000.00	\$100,000.00	\$100,000.00	\$300,000.00
Community Resource Collaborative, Inc.	\$133,333.33	\$133,333.33	\$133,333.34	\$400,000.00
Conflict Management Solutions LLC	\$40,000.00	\$40,000.00	\$40,000.00	\$120,000.00
Hope Initiatives, CDC, Incorporated	\$133,333.33	\$133,333.33	\$133,333.34	\$400,000.00
Judicial Process Commission, Inc.	\$83,333.33	\$83,333.33	\$83,333.34	\$250,000.00
Planned Parenthood of Central and Western New York, Inc.	\$75,000.00	\$75,000.00	\$75,000.00	\$225,000.00
The Center for Youth Services, Inc.	\$50,000.00	\$50,000.00	\$50,000.00	\$150,000.00
Fatherhood Connection, Inc.	\$83,333.33	\$83,333.33	\$83,333.34	\$250,000.00
Villa of Hope	\$250,000.00	N/A	N/A	\$250,000.00
Youth Making Changes Inc.	\$83,333.33	\$83,333.33	\$83,333.34	\$250,000.00
TOTALS	\$1,231,666.64	\$931,666.64	\$931,666.72	\$3,095,000

Section 2. The agreements authorized herein shall be funded in the amounts of \$1,231,666.64 from the 2022-23 Budget of the Office of the Mayor (Mayor) for the first year, \$931,666.64 from the 2023-24 Budget of

the Mayor for the optional second year, and \$931,666.72 from the 2024-25 Budget of the Mayor for the optional third year, if the optional term extensions are exercised and contingent upon approval of the future years' budgets.

Section 3. The agreements authorized herein 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, Smith - 7.

Nays - Councilmembers Martin, Peo - 2

By Councilmember Harris
December 20, 2022

To the Council:

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

- | | |
|--------------|--|
| Int. No. 456 | Authorizing an agreement for payroll processing services related to the Summer of Opportunity program |
| Int. No. 457 | Authorizing an agreement relating to the Flower City AmeriCorps program |
| Int. No. 458 | Authorizing agreements and funding and amending the 2022-23 Budget for the Comprehensive Adolescent Pregnancy Prevention Program |

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. 2022-388
Re: Agreement – Asure Software, Inc.

Council Priority: Support the Creation
of Effective Education Systems

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation establishing \$17,000 as maximum annual compensation for an agreement with Asure Software, Inc. (Patrick Geopel, CEO, Austin, TX) for payroll processing services related to the Summer of Opportunity Youth Employment Program (SOOP). The cost of this agreement will be funded from the 2022-23 Budget of the Department of Recreation and Human Services (DRHS) and future budgets of DRHS, contingent upon approval. The term of the agreement will be for one year with the option to renew for two additional one year terms.

Asure Software, Inc., a USA Payroll Company, has been a partner of the Summer of Opportunity (SOOP) program for the past five years. Under this agreement, Asure Software, Inc. will execute payroll processing that includes setting up direct deposit; processing time and attendance; printing and delivering stipends; printing and delivering 1099s for summer and school year youth participants.

The Youth Employment Services program subsidizes youth internship placements at external agencies, in addition to City Departments. Due to the volume and frequency of stipend payments it is necessary to work with an external payroll company to ensure time and attendance are recorded accurately to ensure that stipends are processed and paid out in a timely manner. Through the relationship with Asure Software, Inc. DRHS has been able to expand the number of partner companies that we work with to provide a variety of internships to City youth.

The Summer of Opportunity program employed 264 unduplicated youth last year.

This agreement was last authorized on December 14, 2021 through City Council Ordinance 2021-416.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-234

Ordinance No. 2022-388
(Int. No. 456)

Authorizing an agreement for payroll processing services related to the Summer of Opportunity 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 Asure Software, Inc. to provide payroll software and services for the Summer of Opportunity Youth Employment program. The term of the agreement shall be one year with the option to extend for up to two additional periods of one year each. The maximum annual compensation for the agreement shall be \$17,000, which shall be funded in the amount of \$17,000 from the 2022-23 Budget of the Department of Recreation and Human Services (DRHS) for the first year, and in the amount of \$17,000 from future budgets of DRHS for each optional extended year, contingent upon the approval of said future 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. 2022-389
Re: Agreement – Takiyah Butler,
Consultant for Flower City
AmeriCorps Program

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

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmittal herein for your approval is legislation establishing \$10,000 as maximum annual compensation for an agreement with Takiyah Butler, dba Excelsior Performance Group (Rochester, NY) for providing support, professional development, and program evaluation assistance for the Flower City AmeriCorps (FCA) program. The term of the agreement will be for one year, starting January 1, 2023 to December 31, 2023, with an option to renew for a second one year term. The cost of this agreement will be funded from the 2022-23 Budget of the Department of Recreation and Human Services (DRHS) and the 2023-24 Budget of DRHS contingent upon approval. This expense was included in the budget of the grant the City received from the New York State Office of Child and Family Services to run the FCA program, which was approved by Council via Ordinance No. 2022-320 on October 18, 2022.

This agreement needs Council approval as it will put the vendor over the \$10,000 threshold for agreements for the fiscal year.

Takiyah Butler of the Excelsior Performance Group has been working the FCA staff and members over the past year, meeting individually with FCA members to review their professional goals, conducting monthly professional development trainings with members, and reviewing members' goals with FCA staff. Additionally, the Excelsior Performance Group will be working with FCA staff to complete the grant-required program evaluation on the affect that the program has on members' professional growth and development.

The Excelsior Performance Group was selected for these services based on the personal experience of being an AmeriCorps member and being able to engage the members in their professional development journey. A full justification for not issuing a request for proposals is attached.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-235

Ordinance No. 2022-389
(Int. No. 457)

Authorizing an agreement relating to the Flower City AmeriCorps program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Takiyah Butler to provide support, professional development, and program evaluation assistance for the Flower City AmeriCorps program. The term of the agreement shall be one year, with the option to extend for one additional one-year period. The maximum annual compensation for the agreement shall be \$10,000, which shall be funded from the 2022-23 Budget of the Department of Recreation and Human Services (DRHS) for the initial term, and from the 2023-24 Budget of DRHS for the optional one-year extension contingent upon approval of said budget.

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. 2022-390
Re: Agreements – New York State
Department of Health,
Comprehensive Adolescent
Pregnancy Prevention Grant

Council Priority: Support the Creation of
Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the New York State Department of Health Comprehensive Adolescent Pregnancy Prevention (CAPP) Grant program to address unintended teen pregnancy. This legislation will:

1. Authorize an agreement with the New York State Department of Health (NYSDOH) for the receipt and use of \$299,204 for the January 1 through June 30, 2023 program period.
2. Amend the 2022-23 Budget of the Departments of Recreation and Human Services by \$90,100 and Undistributed Expenses by \$47,800 to reflect \$137,863 in grant funds apportioned to personnel expenses for four full-time employees for January 1 through June 30, 2023.
3. Establish \$116,208 as total maximum compensation for the following agreements, funded from the grant authorized herein, for a term of January 1 through June 30, 2023:

Anthony L. Jordan Health Center (Dr. Janice Harbin, President and CEO)	\$10,000
Baden Street Settlement, Inc. / Metro Council for Teen Potential (Ron Thomas, Executive Director)	\$41,621
Society for the Protection and Care of Children (Laurie Valentine, CEO)	\$36,295
YWCA of Rochester and Monroe County (Dr. Myra Henry, President and CEO)	\$28,292

4. Appropriate the remaining \$45,133 in grant funding that will be accounted for in the Teenage Pregnancy Prevention Special Revenue Fund to cover non-personnel expenses such as educational supplies, printing, and apparel as well as indirect expenses.

The goal of the NYSDOH CAPP Grant program is to significantly reduce the rate of pregnancy among teenagers in targeted areas. The primary goals of the program are to provide evidence based curricula in the Rochester City School District (RCSD), Charter schools, R-Centers and community based agency settings, reduce adolescent pregnancy and sexually transmitted infection rates in the City of Rochester and improve high school graduation rates.

The City has received this grant for more than ten years. This was last authorized by City Council Ordinance 2022-34.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-236

Ordinance No. 2022-390
(Int. No. 458)

Authorizing agreements and funding and amending the 2022-23 Budget for the Comprehensive Adolescent Pregnancy Prevention 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 Department of Health (NYSDOH) for the receipt and use of \$299,204 in funding for the Comprehensive Adolescent Pregnancy Prevention Program (Program) for the January 1, 2023 to June 30, 2023 Program period.

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 to the Budget of the Department of Recreation and Human Services (DRHS) by \$90,100 and to the Budget of Undistributed Expenses by \$47,800.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with each of the following organizations to provide Program services for a term of one year and for a maximum compensation amount specified as follows:

Anthony L. Jordan Health Center	\$10,000
Baden Street Settlement, Inc. / Metro Council for Teen Potential	\$41,621
Society for the Protection and Care of Children	\$36,295
YWCA of Rochester and Monroe County	\$28,292
TOTAL	\$116,208

provided that, in the event that all funds for any listed provider are not expended, the Mayor is authorized to enter into an amendatory agreement with one or more of the other providers to use the unexpended funds to provide additional Program services. The agreements shall be funded from the Program grant authorized in Section 1 herein.

Section 4. Funds in the amount of \$45,133 from the Program grant authorized in Section 1 are hereby appropriated to the Teenage Pregnancy Prevention Special Revenue Fund to pay for non-personnel and indirect expenses relating to the Program.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:50 pm.

HAZEL L. WASHINGTON
City Clerk