

ROCHESTER CITY COUNCIL

REGULAR MEETING

March 19, 2019

Present – President Scott, Councilmembers Clifford, Evans, Gruber, Lightfoot, McFadden, Ortiz, Patterson, Spaul – 9.

The Council President requested the Council to rise for a Moment of Silence.

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

Retirement:

DES:

- *Thomas Graves
- *Thomas C. Hack
- *Donald Marchaesi
- *Joseph M. Thompson
- *Daniel Torres

ECD:

- *Lynda M. Zampatori

RFD:

- *Thomas May
- John Schreiber

RPD:

- * Joseph Gangi
- * Tammy Lepki
- * Anthony McMullen
- * Joan Reger

RPL:

- *Gene Siembor

**Not attending meeting*

APPROVAL OF THE MINUTES

By Vice President McFadden

RESOLVED, that the minutes of the Regular Meeting of February 19, 2019 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The Mayor submits the following:

Quarterly Reports – Loans and Grants –December 31, 2018. 4302-19

Administrative Cancellation or Refund of Erroneous Taxes – February 2019. 4303-19

The Council submits Disclosure of Interest Forms from Councilmember Ortiz on Int. No. 52 and Councilmember Spaul on Int. No. 64 and Int. No. 67.

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

President Scott presented a letter with 54 signatures for the Defend Urban Neighborhoods initiative, regarding Highland Hospital legislation. Petition No. 1758

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on March 14, 2019 on the following matters:

Amending Ordinance No. 2018-289 for the 52 Broadway Development Project Int. No. 56
No Speakers

Amending Resolution No. URA-6 of 2018 regarding the 52 Broadway Development Project
Int. No. URA-2
No Speakers

Amending the Zoning Code by adding the Planned Development District No. 17- Highland Hospital
Int. No. 58
30 Speakers

Amending the Zoning Map by changing the zoning classification of 990-1000 South Avenue to
Planned Development District No. 17 – Highland Hospital Int. No. 59
No Speakers

Amending the Official Map by abandoning a portion of Pitkin Street. Int. No. 68
No Speakers

Amending the Official Map and authorizing the sale of real estate. Int. No. 69
No Speakers

Authorizing pavement width changes related to the Strong Neighborhood of Play development
project. Int. No. 72
No Speakers

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Vice President McFadden
March 19, 2019

To the Council:

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

- | | |
|-------------|--|
| Int. No. 47 | Authorizing receipt of a grant to fund repairs to components of the Rundel Memorial Library cooling system |
| Int. No. 49 | Authorizing litigation and a retainer agreement for litigation against opioid manufacturers and distributors |
| Int. No. 50 | Authorizing an agreement with CypherWorx, Inc. for online employee training |
| Int. No. 51 | Amending the City Budget to purchase new on-street parking meters |
| Int. No. 80 | Resolution approving reappointment Rochester Public Library Board of Trustees |

The following entitled legislation is being **HELD** in committee:

- | | |
|-------------|---|
| Int. No. 48 | Authorizing the bulk sale of delinquent tax liens |
|-------------|---|

Respectfully submitted,
Adam C. McFadden
Molly Clifford
Malik Evans
Michael A. Patterson
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-44
Re: Grant Acceptance – New York State
Education Department, Rochester Public
Library

Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation authorizing the receipt and use of New York State Education Department, Division of Library Development construction grant funds in the amount of \$269,064 for silt removal at the Central Library of Rochester and Monroe County.

Each year the Monroe County Library System is allocated state funds for library construction projects, awarded on a competitive basis within the system. The awarded project at the Rundel Memorial Library building will address repairs to its river water reservoir, used to dissipate heat from the building from via a chiller system. A valve historically used to clear river sediments has failed; as a result, the reservoir depth is two feet or less, reducing chiller capacity and efficiency.

The project will include removal of several feet (about 2,800 cubic yards) of sediments when the Johnson and Seymour mill race is closed during fall/winter 2019. Excavation of the sediment is labor intensive due to limited access areas. The failed valve will be replaced in-kind; in addition, the gangways over the raceway for access to the reservoir will be replaced.

A grant of \$269,064 represents approximate 50% state funding as part of a \$530,000 project budget. Matching funding was allocated as library cash capital in the 2018-19 Capital Improvement Program.

All projects are managed by the Department of Environmental Services, Bureau of Architecture and Engineering. Design of the project will begin in March 2019; construction is anticipated to commence during the cooling shoulder season (November 2019) when the mill race will be closed.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-44
(Int. No. 47)

Authorizing receipt of a grant to fund repairs to components of the Rundel Memorial Library cooling system

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

Section 1. The Council hereby authorizes the receipt and use of \$269,064 from the New York State Education Department, Division of Library Development as a construction grant for the purpose of funding a portion of the cost of the silt removal and repairing a river water reservoir located beneath the Rundel Memorial Library that is used in conjunction with a chiller system to dissipate heat from the library building (the "Project").

Section 2. The Mayor is hereby authorized to enter into a grant agreement with the funding agency or its designee if necessary to effectuate the City's receipt of the grant. If there is an agreement, it shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Vice President McFadden moved to discharge Int. No. 48 from committee.

The motion was seconded by Councilmember Patterson.

The motion was adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-45

Re: Bulk Sale of Delinquent Tax Liens

Council Priority: Deficit Reduction and Long Term
Financial Stability

Transmitted herewith for your approval is legislation authorizing the sale of 2017-2018 and prior delinquent tax liens, in bulk to American Tax Funding, LLC (ATF).

Local Law No. 8 of 2008 amended the City Charter to allow the City to conduct bulk sales of delinquent tax liens. Council Ordinance No. 2008-379 authorized three lien sales with the option for two subsequent sales. The table below summarizes the results of the sales relating to the original contract term:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
Feb 2009	5,675	3,327	\$13,976,777	\$6,036,829	43.19
Sept 2009	5,444	4,864	\$11,443,795	\$4,981,986	43.53
Dec 2010	5,249	4,780	\$10,999,275	\$5,342,778	48.57
Feb 2012	4,580	4,274	\$10,336,100	\$4,578,407	44.30
Feb 2013	4,616	4,405	\$9,966,089	\$4,524,150	45.40

Council Ordinance No. 2013-398 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
Mar 2014	2,033	1,977	\$4,396,376	\$2,531,023	57.57

Council Ordinance No. 2015-3 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
Mar 2015	2,041	1,837	\$3,659,724	\$2,172,334	59.36

Council Ordinance No. 2016-62 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
May 2016	1,372	1,272	\$2,682,810	\$1,863,732	69.47

Council Ordinance No. 2017-77 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
Jun 2017	1,886	1,645	\$3,467,862	\$2,514,348	72.50%

Council Ordinance No. 2018-25 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
Mar 2018	2,449	1,997	\$4,766,377	\$3,240,485	67.99%

The City classifies liens into one of three categories, as follows:

- New Liens - Liens on properties for which ATF has not previously purchased any liens.
- Unsettled Liens- Liens on properties for which ATF had previously purchased liens that are unpaid
- Settled Liens- New liens on properties for which any previous liens sold to ATF have been paid

Under the previous agreements, ATF was granted a right of first refusal through the 2017 delinquent tax year, on New and Unsettled Liens; ATF does not have a right of first refusal on Settled Liens.

In 2013 ATFS began assigning some of its liens purchased from the City to Cheswold LLC. On January 26, 2016 Cheswold LLC was purchased by Alterna Tax Asset Group. Cheswold is now a wholly owned subsidiary of Alterna. The liens owned by Cheswold LLC. are serviced by MTAG, and ATF services the liens it retains. Further, in 2017 ATF consummated the assignment of additional liens to Ebury Street Capital LLC., located in Rye New, York.

In order to increase delinquent tax collection revenue; enhance re-development efforts; reduce the presence of blighted property; and offer flexibility to homeowners, the City is proposing to remove certain properties from the lien sale based on review by the Department of Neighborhood and Business Development. The City will sell high value liens and liens on owner-occupied property to ATF. Properties removed are subject to foreclosure and collection efforts with potential future ownership by the Rochester Land Bank Corporation.

For this year, based on a bulk lien sale list having an aggregate lien amount of \$3,575,632 ATF has proposed to purchase a pool of high value Unsettled Liens having a value of \$1,254,333 at a price of \$1,093,426 representing 87.17% of the original lien amount. ATF has also proposed to purchase a pool of high value New Liens having a value of \$819,674, at a price of \$718,545 representing 87.66%

of the original lien amount. ATF has proposed to purchase a pool of high value Settled Liens having a value of \$386,004, at a price of \$301,241, representing 78.04% of the original lien amount.

Lastly, ATF has proposed to purchase a pool of low value liens (owner occupied etc....) having a value of \$1,115,621, at a price of \$408,881, presenting 36.65% of the original lien amount.

In the aggregate ATF is offering \$2,522,093 or 70.54% of the original lien amount of \$3,575,632 for these lien pools.

The City would retain approximately \$1.5 million of low valued liens for which ATF does not wish to purchase. The City would also retain liens requested by the City's Neighborhood & Business Development Department on approximately 2,600 properties valued at \$8.4 million. Both categories of retained liens will be included in the City's 2019 foreclosure auction. The foreclosure action is scheduled to commence in the spring of 2019 and culminate with a fall 2019 foreclosure auction.

As required by Ordinance No. 2008-379, the Administration will file a list of the properties with liens to be sold to ATF and the properties with liens removed from the sale and a map showing both categories.

This legislation approves the sale of this year's delinquent tax liens to ATF based upon this initial estimated dollar value and percentage amounts. The final sale dollar amount and percentage will reflect changes to the delinquent tax liens finally sold.

This agreement will have a term of one year. Subsequent tax lien sales are subject to City Council approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-45
(Int. No. 48)

Authorizing the bulk sale of delinquent tax liens

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 American Tax Funding, LLC (ATF) for the bulk sale of delinquent tax liens. The Council hereby approves the bulk sale of 2017-2018 and prior years' delinquent tax liens to ATF.

Section 2. The agreement shall have a term of one year and shall obligate ATF to pay to the City an amount based upon the ATF offer of:

High Value Unsettled Liens	\$1,093,426
High Value New Liens	\$718,545
High Value Settled Liens	\$301,241
Low Value Owner-Occupied Liens	\$408,881

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. 2019-46
Re: Retainer Agreement - Litigation against
Opioid Manufacturers and Distributors

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the Corporation Counsel to commence civil litigation against opioid manufacturers, distributors and others who have promoted the abuse of opioids. This legislation will authorize the Corporation Counsel to retain counsel, Napoli Shkolnik PLLC (New York, NY, Salvatore Badala, lead attorney) at no out-of-pocket cost to the City, to represent the City in such litigation.

Many municipalities have retained Napoli Shkolnik PLLC to pursue legal action against manufacturers, distributors and others that have promoted and contributed to the abuse of opioids. The municipalities seek to recover damages in the form of increased expenses to the municipality and its taxpayers, in the City's case, in the form of increased demands of the Rochester Police and Fire Departments and other expenditures necessary to responding to the impacts of the ongoing opioid epidemic.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-26

Ordinance No. 2019-46
(Int. No. 49)

Authorizing litigation and a retainer agreement for litigation against opioid manufacturers and distributors

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

Section 1. The Corporation Counsel is hereby authorized to commence civil litigation against opioid manufacturers, distributors and others who have promoted the abuse of opioids and to enter into an agreement retaining counsel, Napoli Shkolnik PLLC, to represent the City in such litigation at no out-of-pocket cost. Compensation shall be contingent on the outcome and shall not exceed 25% of all net amounts recovered on the claim.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2019-47
Agreement – CypherWorx, Inc. Online
Employee Training

Council Priority: Support the Creation of Effective
Educational Systems

Transmitted herewith for your approval is legislation establishing \$83,891 as maximum compensation for an agreement with CypherWorx, Inc. (Paul Cypher, Chief Executive Officer) headquartered at 130 Andrews Street, Rochester, NY to provide an online training platform for all City employees. The term of this agreement will be for three years and will be funded from the 2018-19 (\$31,200), 2019-20 (\$25,956) and 2020–21 (\$26,735) Budgets for Undistributed Expenses, contingent upon approval.

CypherWorx, Inc. will provide a hands-on interactive training platform, in English and Spanish, for City employee training programs to include the topics of Diversity/Inclusion, Sexual Harassment, Workplace Harassment, and Workplace Violence. This platform will track, record, and document the trainings, and provide progress and verification reports to supervisors regarding their employees' completion of the trainings. This training platform is completely supported and managed by CypherWorx, Inc. and as a result will require no internal IT resources. In addition, this interactive training platform will ensure the City's compliance with several Federal and State mandated employee trainings.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-27

Ordinance No. 2019-47
(Int. No. 50)

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

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with CypherWorx, Inc. in the maximum amount of \$83,891 to provide an online training platform for all City employees. Said amount shall be funded from the 2018-19 (\$31,200), 2019-20 (\$25,956), and 2020-21 (\$26,735) Budgets of Undistributed Expenses, contingent upon approval of the latter budgets. The term of the agreement shall be for three years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-48
Re: Amend Parking Cash Capital for Purchase of
New On-Street Parking Meters

Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation amending the 2018-19 Cash Capital Budget by \$600,000 to accelerate the purchase and installation of new on-street parking meters. This additional cash capital will be funded by recognizing a portion of the revenue expected from the sale of the Mortimer Street Garage authorized by Ordinance No. 2018-295.

New on-street meters will allow parkers to pay by cash or credit card with an option for pay by phone. We expect purchase and installation of new meters to be complete by mid-summer.

The purchase price for the Mortimer Street Garage will be \$3,105,000. The sale closing is planned for March 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-48
(Int. No. 51)

Amending the City Budget to purchase new on-street parking meters

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

Section 1. Ordinance No. 2018-157, the 2018-19 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Cash Capital allocation by \$600,000 to fund the purchase and installation of new on-street parking meters, which amount is hereby appropriated from a portion of the proceeds of the sale of the Mortimer Street Garage authorized by Ordinance No. 2018-295.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2019-2
Re: Re-appointment – Rochester Public
Library Board of Trustees

Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation confirming the following re-appointment to the Rochester Public Library (RPL) Board of Trustees for a five-year term:

Donna P. Benjamin
770 Thurston Road
Rochester, New York 14619

The current term of the above Trustee expired on December 31, 2018; Ms. Benjamin's new term would expire on December 31, 2023. During her time on the board, Ms. Benjamin has served as Vice-President and President. She is a vocal advocate and supporter of libraries, often representing the library at community events. It is also notable that Ms. Benjamin had perfect attendance at board meetings in 2017 and 2018.

Ms. Benjamin's resume and attendance record have been submitted to the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2019-2
(Int. No. 80)

Resolution approving reappointment Rochester Public Library Board of Trustees

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

Section 1. The Council hereby approves the reappointment of Donna P. Benjamin, 770 Thurston Road, Rochester, New York 14619 to the Rochester Public Library Board of Trustees for a term which shall expire on December 31, 2023.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Patterson
March 19, 2019

To the Council:

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

- Int. No. 52 Authorizing the acceptance of real estate by donation
- Int. No. 53 Amending Ordinance Nos. 2019-5 and 2019-21 as it relates to land acquisitions to construct new offices for the Rochester Police Department Goodman Section and the Southeast Neighborhood Service Center
- Int. No. 54 Authorizing a Lease Agreement with Chase Farm Partnership
- Int. No. 55 Authorizing a license agreement for a portion of 101 Hollywood Street
- Int. No. 57 Appropriating funds for quadrant support
- Int. No. 60 Authorizing payments in lieu of taxes agreement for the Thurston Chili Affordable Housing Project
- Int. No. 61 Authorizing the sale of real estate and a payments in lieu of taxes agreement for the Union Square Project
- Int. No. 62 Resolution approving appointments to the Board of Examiners of Stationary Engineers and Refrigeration Operators
- Int. No. 63 Resolution approving appointments to the Electrical Examining Board

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

- Int. No. 56 Amending Ordinance No. 2018-289 for the 52 Broadway Development Project
- Int. No. 58 Amending the Zoning Code by adding the Planned Development District No. 17 – Highland Hospital
- Int. No. 59 Amending the Zoning Map by changing the zoning classification of 990-1000 South Avenue to Planned Development District No. 17 – Highland Hospital

The following entitled legislation is being **HELD** in committee:

Int. No. 58 Amending the Zoning Code by adding the Planned Development District No. 17 – Highland Hospital

Int. No. 59 Amending the Zoning Map by changing the zoning classification of 990-1000 South Avenue to Planned Development District No. 17 – Highland Hospital

Respectfully submitted,
Michael A. Patterson
Willie J. Lightfoot
Jacklyn Ortiz (Abstained on Int. No. 52)
Adam C. McFadden
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-49
Re: Real Estate Donation

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation related to the acceptance by donation of certain real property from the owner, Rochester Land Bank Corporation (RLBC). The RLBC acquired the properties by purchase at the City Tax Foreclosure Auction in November 2018. Council authorization is needed to accept the parcels:

<u>Address</u>	<u>Purpose</u>
847 Clifford Avenue	Demolition
59 Kohlman Street	Demolition
51 Lill Street	Demolition
717-719 N Plymouth Avenue	Demolition
605-607 Portland Avenue	Demolition

Accepting the donations of these properties will allow the City to remove blight in neighborhoods where redevelopment plans are in place and/or other investment of public dollars have been made through prior demolition and/or rehabilitations. The Rochester Land Bank Board approved the transfer of the properties to the City at its January 24, 2019 Board Meeting.

Upon acquisition by the City, any taxes or charges levied after the date of closing shall be canceled. The properties are to be conveyed with no other outstanding liens or encumbrances.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-28

Ordinance No. 2019-49
(Int. No. 52)

Authorizing the acceptance of real estate by donation

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

Section 1. The Council hereby authorizes the acceptance of the donation of real estate parcels from the Rochester Land Bank Corporation as follows:

Address	SBL No.	Purpose
847 Clifford Av	106.33-1-51.2	Demolition
59 Kohlman St	091.79-1-17	Demolition
51 Lill St	106.30-4-8	Demolition
717-719 N. Plymouth Av	105.68-1-70	Demolition
605-607 Portland Av	106.26-2-18	Demolition

Section 2. Upon transfer of title to the City, any City taxes and any other City charges, liens or encumbrances against said property are hereby cancelled.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes: President Scott, Councilmembers Clifford, Evans, Gruber, Lightfoot, McFadden, Patterson, Spaul -8.

Nays: None -0.

Councilmember Ortiz abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-50
Re: Technical Amendment – Ordinance Nos.
2019-5 and 2019-21 Goodman RPD and
SE-NSC Project

Council Priority: Rebuilding and Strengthening
Neighborhoods

Transmitted herewith for your approval is legislation amending Ordinance Nos. 2019-5 and 2019-21 to revise the values of the acquisitions associated with the Goodman RPD and SE-NSC Project. The changes are detailed below:

<u>Property Address</u>	<u>Owner</u>	<u>Ordinance Number</u>	<u>Original Value</u>	<u>Revised Value</u>
8-8.5 Laura Street	Garth LLC (Carmen Dimora, Member)	2019-5 2019-21	\$65,000	\$70,500
11-15 Laura Street	Ronder, Eyal/Sharon	2019-5 2019-21	\$65,000	\$70,000

The just compensation for each property has been augmented by an administrative adjustment permitted under the Eminent Domain Procedure Law in consideration of the legal costs of attempting to acquire the properties through condemnation.

The owner of the property at 8-8.5 Laura Street has appeared and contested the indicated just compensation amount and believes his property has greater value than the City's appraisal, but is willing to convey the property with the indicated administrative adjustment.

The owner of 11-15 Laura Street has appeared and contested the indicated just compensation amount and believes his property has greater value than the City's appraisal, but is willing to convey the property with the indicated administrative adjustment.

The increased just compensation amounts will result in a timely conveyance without additional litigation costs. The properties' compensation amount increased from \$65,000 to \$70,500, and \$65,000 to \$70,000 respectively. The total additional cost of \$10,500 will be funded from 2018-19 Cash Capital.

All City taxes and other current-year charges against each said parcels shall be canceled from the date of acquisition closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing while the City owns a parcel, shall also be canceled.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-50
(Int. No. 53)

Amending Ordinance Nos. 2019-5 and 2019-21 as it relates to land acquisitions to construct new offices for the Rochester Police Department Goodman Section and the Southeast Neighborhood Service Center

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

Section 1. Section 1 of Ordinance No. 2019-5 and Section 2 of Ordinance No. 2019-21 are hereby amended by increasing the maximum acquisition amount of 8-8.5 Laura Street owned by Garth LLC from \$65,000 to \$70,500.

Section 2. Section 1 of Ordinance No. 2019-5 and Section 2 of Ordinance No. 2019-21 are hereby amended by increasing the maximum acquisition amount of 11-15 Laura Street owned by Eyal and Sharon Ronder from \$65,000 to \$70,000.

Section 3. If and to the extent that the proceeds of the bonds that were appropriated for the acquisitions by Ordinance Nos. 2019-5 and 2019-6 are insufficient, the additional acquisition amount of \$10,500 authorized herein shall be funded from 2018-19 Cash Capital.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-51
Re: Lease – Chase Farm Partnership East
Henrietta Road, Rush Reservoir

Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation approving the lease of a portion of a City-owned parcel in the Town of Rush. The 14 acre parcel is part of an acquisition from 1990 by the City in conjunction with the Rush Reservoir Rehabilitation Project. The acquisition was required to allow construction of a sediment depository during the project which was completed in 1992.

City Council has authorized lease agreements for 7.7 acres of the parcel to the Chase Farm Partnership (originally under Selden P. Chase) for agricultural purposes since 2003. The current agreement authorized by City Council, Ord No. 2013-277, was approved on August 13, 2013 for a five year term. Under the proposed legislation, a new five-year agreement will be authorized with Chase Farm Partnership (William Chase - Partner, 5874 E Henrietta Rd, Rush, NY), commencing January 1, 2019 and expiring December 31, 2023. One five (5) year extension will be available with a rent increase based on the CPI-U index.

The parcel totals approximately 14 acres of which 7.7 acres will be leased. The proposed annual rental rate is \$54.55 per acre, or \$420 per year, which was the rate of the prior agreement. The rate was established through a bidding process, which was advertised on the City's website, in two local publications and through a direct mailing.

The entity of "Chase Farm Partnership" will continue to use the parcel for agricultural purposes. The partnership will also assist the City in obtaining agricultural assessment status under Section 1224 of the NYS Real Property Tax Law.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-29

Ordinance No. 2019-51
(Int. No. 54)

Authorizing a Lease Agreement with Chase Farm Partnership

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

WHEREAS, the City of Rochester has received a proposal for the lease of 7.7 acres of farmland located on a 21.4-acre parcel of real estate (SBL # 202.02-1-41.2) owned by the City on East Henrietta Road in the Town of Rush;

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

WHEREAS, the Council affirmatively finds that the term of such proposed lease, which is 5 years with one optional five-year renewal term, is reasonable and necessary in light of the lease's intended purpose and that the public will benefit throughout that term.

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

Section 1. The Mayor is hereby authorized to enter into a lease agreement with Chase Farm Partnership for the lease of approximately 7.7 acres of farmland owned by the City in the Town of Rush. The agreement shall have a term of 5 years with one optional five-year renewal term with rent of \$54.55 per acre per year. Rent will be increased based on the CPI-U index for the renewal term, if exercised.

Section 2. Chase Farm Partnership shall use the parcel for agricultural purposes and assist the City in obtaining agricultural assessment status for this property.

Section 3. The lease 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. 2019-52
Re: License Agreement – A Portion of 101
Hollywood Street

Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation authorizing a license agreement between the City and Isaac Heating & Air Conditioning, Inc., (Principal, Raymond Isaac, 50 Holleder Parkway, Rochester, NY 14615).

The term of the license agreement is five (5) years commencing March 1, 2019, with two available one (1) year extensions. The rental rate will be \$500 annually which was supported through an independent appraisal performed by Jay Loson of Midland Appraisal Associates, Inc. as of January 2019.

The licensee encroached onto the northern portion of the City owned property at 101 Hollywood Street while repaving the parking lot they own at 50 Holleder Parkway. This license agreement will allow Isaac Heating & Air Conditioning, Inc. to use this small portion of City owned land for parking and lot maintenance for an annual fee and requires them to carry an insurance policy which will protect the City's interests. They will not have control over the entire site at 101 Hollywood St, just the northern portion where the encroachment exists. The lower portion of the lot will not be impacted by the agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-30

Ordinance No. 2019-52
(Int. No. 55)

Authorizing a license agreement for a portion of 101 Hollywood Street

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

Section 1. The Mayor is hereby authorized to enter into a license agreement with Isaac Heating & Air Conditioning, Inc. (the "Licensee") for the use and maintenance for parking of a portion of the property located at 101 Hollywood Street (SBL # 090.47-1-31) not currently needed for municipal purposes. The licensed area consists of a paved area located on the northern portion of the property that has been paved as an extension of the Licensee's parking lot located on the adjacent property at 50 Holleder Parkway (SBL # 090.47-1-35.4). The Licensee shall pay an annual license fee of \$500. The license agreement shall have a term of five years with two additional one-year options to renew upon the mutual consent of the parties.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-53
Re: Amending Ordinance No. 2018-289 –
52 Broadway Development Project

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

Transmitted herewith for your approval is legislation amending Ordinance No. 2018-289. This amendment will update and add parcel information for the sale. Ordinance No. 2018-289 authorized the sale of seven (7) Rochester Urban Renewal Agency (RURA)-owned parcels to Fallone Properties, Ltd. (principal Robert Fallone Sr.) for the 52 Broadway Development Project. More specifically, this legislation will amend Ordinance No. 2018-289 by:

1. Updating the section, block, lot (SBL) numbers and sizes for the three (3) parcels below.

Address	SBL Number	Size (acre)	Owner
66 Broadway	121.25-2-37.004	0.048	RURA
70 Broadway	121.25-2-38.001	0.164	RURA
50 Broadway	121.25-2-39.001	0.015	RURA

2. Including the three (3) City of Rochester (City)-owned parcels below in with the sale of RURA land.

Address	SBL Number	Size (acre)	Owner
68 Broadway	121.25-2-37.003	0.002	City
74 Broadway	121.25-2-38.003	0.006	City
64 Broadway	121.25-2-39.003	0.004	City

The change in SBL numbers is due to a recent amendment to the official map which dedicated several parcels as public rights-of-way. The inclusion of the three (3) City-owned parcels is at the request of the project architect/engineer in consideration of the building design.

A companion RURA item is submitted with this transmittal. A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-31

Ordinance No. 2019-53
(Int. No. 56)

Amending Ordinance No. 2018-289 for the 52 Broadway Development Project

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

Section 1. Ordinance No. 2018-289, is hereby amended to read in its entirety as follows:

Affirming and approving the sale of properties for the 52 Broadway Development Project

WHEREAS, this Ordinance pertains to the redevelopment of seven adjoining parcels owned by the Rochester Urban Renewal Agency (“Agency”) and three parcels owned by the City known collectively as 52 Broadway (the “Site”);

WHEREAS, the City issued a request for proposals to redevelop the Site and received from Fallone Properties, Ltd. a proposal for that company or an entity to be formed by its managing member Robert Fallone (collectively, the “Developer”) to expand upon the Inn on Broadway located adjacent to the Site at 26 Broadway by reconfiguring the Inn’s existing four-story building and adding an adjacent building on the Site in order to add approximately 66 guest rooms, approximately 18 residential apartments, enclosed parking, a new banquet facility, and a new spa (collectively, the “Project”);

WHEREAS, the Developer is proposing to purchase the Site from the Agency in order to develop the Project for a purchase price of \$330,000 that is based on an independent fair market value appraisal;

WHEREAS, the City desires that the Developer’s proposed purchase proceed in accordance with Sections 507 and 556 of the Urban Renewal Law in Articles 15 and 15-A of the General Municipal Law and subject to terms and conditions that require the development of the Project in accordance with the purposes and objectives of the City’s continuing efforts to revitalize the Center City, the Agency and the Urban Renewal Law;

WHEREAS, a legal notice has been issued giving public notice as to the availability for public examination of the proposed terms for the disposition and redevelopment of the Site as well as the Developer’s’ Statement for Public Disclosure;

WHEREAS, the Agency has found the Developer to be a qualified and eligible sponsor to carry on the Project; and

WHEREAS, the City Council, pursuant to Article 15 of the General Municipal Law and after due notice, has held a public hearing on September 13, 2018 to consider the proposed disposition and redevelopment of the Site.

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

Section 1. The Council hereby approves and affirms the City and Agency’s sale to the Developer of the following parcels comprising the 52 Broadway Development Project Site for an appraised value of \$330,000:

City Parcels:

<u>Address</u>	<u>SBL#</u>	<u>Size (acre)</u>
<u>68 Broadway</u>	<u>121.25-2-37.003</u>	<u>0.002</u>
<u>74 Broadway</u>	<u>121.25-2-38.003</u>	<u>0.006</u>
<u>64 Broadway</u>	<u>121.25-2-39.003</u>	<u>0.004</u>

Agency Parcels:

<u>Address</u>	<u>SBL#</u>	<u>Size (acre)</u>
40 Broadway	121.25-2-33	0.09
46-48 Broadway	121.25-2-34	0.09
52 Broadway	121.25-2-35	0.07
54-60 Broadway	121.25-2-36	0.14
66 Broadway	121.25-2-37 <u>121.25-2-37.004</u>	0.03 <u>0.048</u>
70 Broadway	121.25-2-38 <u>121.25-2-38.001</u>	0.18 <u>0.164</u>
50 Broadway	121.25-2-39 <u>121.25-2-39.001</u>	0.02 <u>0.015</u>

Section 2. The Council hereby finds that disposition by request for proposal and negotiation is the appropriate method for making the Site properties available for redevelopment. The purchase agreement shall be subject to terms and conditions that require the development of the Project in accordance with the purposes and objectives of the City's program to revitalize the Center City, the Agency and the Urban Renewal Law.

Section 3. The Mayor is hereby authorized to enter into such agreements and to execute such other instruments as may be necessary to implement the actions authorized herein. The agreements and other instruments shall contain such other terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-54
Re: CDBG Appropriation - Quadrant Planning
Support Program

Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation related to the Quadrant Planning Support Program. This legislation will appropriate \$17,000 from the Quadrant Support allocation of the Consolidated Community Development Plan/2018-19 Annual Action Plan for planning and beautification improvements.

Of the \$17,000, \$8,500 will be used to complete a northwest neighborhood planning study for the Lyell Avenue area, and \$8,500 will be used to complete beautification and right-of-way improvements in the median on Upper Falls Boulevard between St. Paul Street and North Clinton Avenue. These improvements include gateway signage, benches and flower pots.

Projects included are in the respective quadrant plans, and are reviewed, prioritized and chosen by the Quadrant teams. The Quadrant teams are made up of:

- NSC Administrator
- Neighborhood residents
- Neighborhood property owners
- Neighborhood associations
- Assistant Administrator
- RPD Lieutenant
- Business Development
- Zoning Staff
- Planning
- Library
- Real Estate
- DRYS

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-54
(Int. No. 57)

Appropriating funds for quadrant support

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

Section 1. The sum of \$17,000 is hereby appropriated from the Quadrant Support allocation of the Consolidated Community Development Plan/2018-19 Annual Action Plan for planning and beautification improvements for the Quadrant Planning Support Program.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Patterson moved to discharge Int. No. 58 from committee.

The motion was seconded by Councilmember Spaul.

The motion was adopted unanimously.

Councilmember Patterson moved to amend Int. No. 58.

The motion was seconded by Councilmember Spaul.

The motion was adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-55

Ordinance No. 2019-56

Re: Highland Hospital - Planned Development
District #17

Transmitted herewith for your approval is legislation amending the City Zoning Text and Map by establishing a 9.27 acre Planned Development District by rezoning the above property from Institutional Planned Development (IPD) #8 Highland Hospital to Planned Development District (PD) #17 Highland Hospital; by adopting the proposed development concept plan associated with this PD, and by adding the PD #17 District Regulations to the Zoning Code. This legislation will:

- 1) Amend the Zoning Text by adding PD #17 Highland Hospital Planned Development District regulations to Chapter 120, the Zoning Code, and approving the Development Concept Plan/Site Plan; and
- 2) Amend the Zoning Map by rezoning 1000 South Avenue from IPD #8 – Highland Hospital to PD #17 Highland Hospital.

Founded in 1889 as Hahnemann Hospital, Highland Hospital has delivered on its mission to provide the highest quality, patient and family-centered care to the greater Rochester community throughout its history. The current campus at 1000 South Avenue has consisted of approximately 9.27 acres for most of those years.

Highland Hospital was rezoned to an IPD in 1978. In 2003, the City of Rochester enacted a comprehensive and wholesale revision of its zoning code. Under the 2003 Zoning Code, IPDs no longer exist as a zoning classification.

Accordingly, Highland Hospital is proposing to rezone the Hospital Campus from IPD to PD. Highland Hospital will also seek approval at a later date for Incremental Development of a patient building addition. This will require major site plan review.

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

The Planning Commission held one informational meeting on February 11, 2019. Only the applicants spoke in support of the PD, and six people spoke in opposition. By a vote of 7-0-0, the Planning Commission recommended approval. The minutes of that meeting, the Planning Commission's recommendation and all written public comments are attached.

A public hearing is required for the Zoning Text and Map Amendment. The regulations would take effect immediately upon Council approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-32

Ordinance No. 2019-55
(Int. No. 58, as amended)

Amending the Zoning Code by adding the Planned Development District No. 17 — Highland Hospital

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by adding the Planned Development District No. 17 — Highland Hospital and approving the text and concept plan for said district to read in its entirety as follows:

§ PDD-17. Planned Development District No. 17 — Highland Hospital.

A. **Purpose.** The purpose of the Planned Development District No. 17 (the “Highland Hospital PD” or “PD #17”) is to provide a flexible framework for the orderly future development and redevelopment of the Highland Hospital Campus (the “Campus”). The intent of the Highland Hospital PD is to guide future development of the Campus, which allows Highland Hospital to maintain its important presence and fulfill its commitment to excellence and service to its patients, staff, visitors, and the community. Development within the Highland Hospital PD will reflect the spirit of a state-of-the-art community hospital, known for its comprehensive care, guided by the following goals and objectives:

- (1) Highland Hospital strives to provide the best possible patient care that meets contemporary healthcare standards, and which acknowledges and responds to the

changing nature of healthcare delivery into the future. Advances in technology, equipment, and evidence-based medicine require continuous and thoughtful upgrades to the facility to support and ensure continuity of care. Key services are located near the diagnostic and treatment areas to promote convenient patient access, minimize travel distances, and establish important adjacencies to realize efficiencies in providing care.

- (2) Highland Hospital will make the best use of available space within the existing physical constraints on the Campus, such as: the historic development of the Campus over 125 years resulting in the construction of dozens of buildings and add-ons that need to be harmonized and continually re-adapted; the limitations of a 9.3 acre site that cannot be expanded, and which necessitates the emphasis on vertical construction; the sheer number of natural slopes and grade changes which challenge development; and, its proximity to a residential neighborhood and Highland Park. With a collection of buildings that have been developed over 125 years, many of the structures and aging infrastructure require repair, modification, replacement, or modernization to provide an environment that supports the highest level of patient care.
- (3) As an integral part of the Highland Park neighborhood for over 125 years, development in the Highland Hospital PD will be sensitive to the character of the neighborhood through the use of quality exterior materials, and thoughtful landscaping and hardscaping features to screen views, especially of the utility plant on the Campus from adjacent or nearby properties. To promote an appropriate spatial balance between the Campus and adjacent or nearby properties, appropriate setbacks will be respected.

B. **Planned Development District Limits.** The Highland Hospital PD is approximately 9.3 acres, generally bounded by South Avenue, Rockingham Street, Mt. Vernon Avenue, and Bellevue Drive as shown on the Planned Development District Map (the “Highland Hospital PD Map”).

C. **Permitted Uses.** Permitted uses in the Highland Hospital PD include the following, and any additional uses that promote and support Highland Hospital as a healthcare provider:

- (1) Hospital, including medical, administrative, office, educational (except K-12), research and laboratory, clinical, hospice, nursing home, residential care facilities, and any other uses or facilities which support and promote the mission of the hospital in providing comprehensive patient care.
- (2) Day-care center.
- (3) Accessory support uses or structures, including parking garages and facilities, bookstores, gift shops, small-scale retail facilities and services, restaurant and cafeteria services, and loading and refuse areas, warehousing, storage, and maintenance facilities.

D. **Yard and Bulk Requirements.**

- (1) Yard requirements:
 - a. Minimum front yard setback along Mt. Vernon Avenue: 0 feet.

- b. Minimum front yard setback along Rockingham Street: 20 feet.
 - c. Minimum front yard setback along South Avenue: 20 feet.
 - d. Minimum front yard setback along Bellevue Drive: 0 feet.
 - e. Minimum side yard setback along the southern property line east of Bellevue Drive: 30 feet.
- (2) Maximum building height. Required building heights are based on design parameters that taller first and second floors (up to 18 feet) are required to accommodate equipment for diagnostic procedures, operating rooms, imaging centers, and emergency care; interstitial mechanical floors (up to 18 feet) to serve the floors below and above; and, upper level inpatient units (average 14 feet).
- a. ~~Mt. Vernon Avenue and Belleview Drive (Figure 1):~~
 - (i) ~~0' – 30' Setback: 5 stories up to 94 feet maximum building height; except that any stair tower, elevator tower, or elevator lobby may be 7 stories up to 120 feet maximum building height.~~
 - (ii) ~~30' – 120' Setback: 7 stories up to 120 feet maximum building height.~~
 - (iii) ~~120' Setback: 11 stories up to 178 feet maximum building height.~~
 - b. ~~Rockingham Street (Figure 2):~~
 - (i) ~~0' – 20' Setback: No building.~~
 - (ii) ~~20' – 50' Setback: 5 stories up to 94 feet maximum building height.~~
 - (iii) ~~50' – 120' Setback: 7 stories up to 120 feet maximum building height.~~
 - (iv) ~~120' Setback: 11 stories up to 178 feet maximum building height.~~
 - e. ~~South Avenue (Figure 3):~~
 - (i) ~~0' – 20' Setback: No building.~~
 - (ii) ~~20' – 30' Setback: 5 stories up to 94 feet maximum building height.~~
 - (iii) ~~30' – 120' Setback: 7 stories up to 120 feet maximum building height.~~
 - (iv) ~~120' Setback: 11 stories up to 178 feet maximum building height.~~
 - d. ~~South property line east of Bellevue Drive (Figure 4):~~
 - (i) ~~0' – 30' Setback: No building.~~
 - (ii) ~~30' – 120' Setback: 7 stories up to 120 feet maximum building height.~~

~~(iii) 120' Setback: 11 stories up to 178 feet maximum building height.~~

a. Mt. Vernon Avenue (North). From a point 20 feet south of the south street line of Rockingham Street extending south 300 feet. (Figure 1):

~~(i) 0' – 30' Setback: 60 feet maximum building height.~~

~~(ii) 30' – 120' Setback: 7 stories up to 120 feet maximum building height.~~

~~(iii) 120' Setback: 9 stories up to 155 feet maximum building height.~~

b. Mt. Vernon Avenue (South). From a point 320 feet south of the south street line of Rockingham Street extending to 30 feet north of the south property line. (Figure 2):

~~(i) 0' – 30' Setback: 5 stories up to 94 feet maximum building height; except that any stair or elevator tower may be up to 120 feet maximum building height.~~

~~(ii) 30' – 120' Setback: 7 stories up to 120 feet maximum building height.~~

~~(iii) 120' Setback: 9 stories up to 155 feet maximum building height.~~

c. South Property Line east of Bellevue Drive (Figure 3):

~~(i) 0' – 30' Setback: No building.~~

~~(ii) 30' – 120' Setback: 7 stories up to 120 feet maximum building height.~~

~~(iii) 120' Setback: 9 stories up to 155 feet maximum building height.~~

d. Bellevue Drive (Figure 2):

~~(i) 0' – 30' Setback: 5 stories up to 94 feet maximum building height.~~

~~(ii) 30' – 120' Setback: 7 stories up to 120 feet maximum building height.~~

~~(iii) 120' Setback: 9 stories up to 155 feet maximum building height.~~

e. South Avenue (Figure 4):

~~(i) 0' – 20' Setback: No building.~~

~~(ii) 20' – 30' Setback: 5 stories up to 94 feet maximum building height.~~

~~(iii) 30' – 120' Setback: 7 stories up to 120 feet maximum building height.~~

~~(iv) 120' Setback: 9 stories up to 155 feet maximum building height.~~

f. Rockingham Street (West). From a point 20 feet east of the east street line of South Avenue extending east 395 feet. (Figure 5):

(i) 0' – 20' Setback: No building.

(ii) 20' – 50' Setback: 5 stories up to 94 feet maximum building height.

(iii) 50' – 120' Setback: 7 stories up to 120 feet maximum building height.

(iv) 120' Setback: 9 stories up to 155 feet maximum building height.

g. Rockingham Street (East). From a point 395 feet east of the east street line of South Avenue extending east to the Mt. Vernon Avenue street line. (Figure 6):

(i) 0' – 20' Setback: No building.

(ii) 20' – 50' Setback: 60 feet maximum building height.

(iii) 50' – 120' Setback: 7 stories up to 120 feet maximum building height.

(iv) 120' Setback: 9 stories up to 155 feet maximum building height.

Figures 1-4 delete

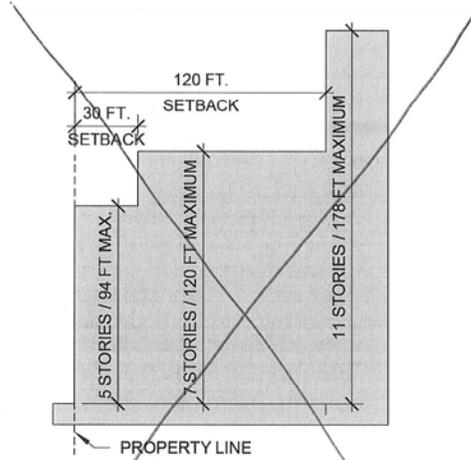


FIGURE 1
SECTION AT MT. VERNON AVENUE
AND BELLEVUE DRIVE

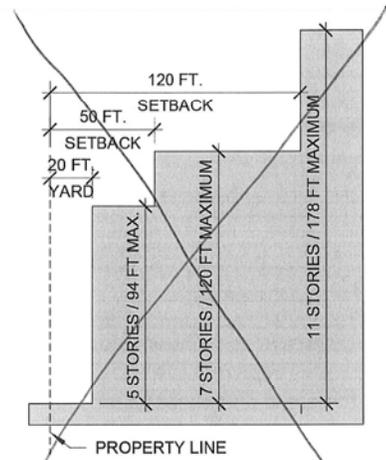


FIGURE 2
SECTION AT ROCKINGHAM STREET

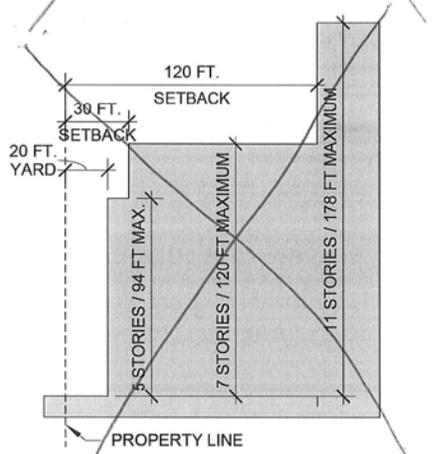


FIGURE 3
SECTION AT SOUTH AVENUE

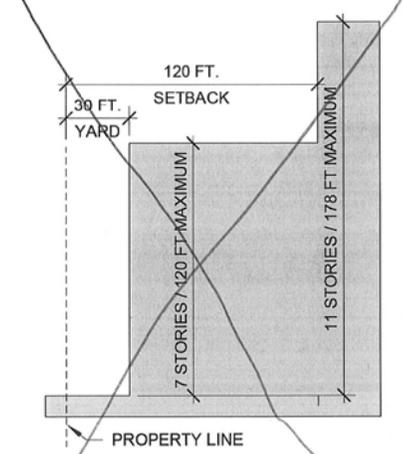


FIGURE 4
SECTION AT SOUTHERN PROPERTY
LINE EAST OF BELLEVUE DRIVE

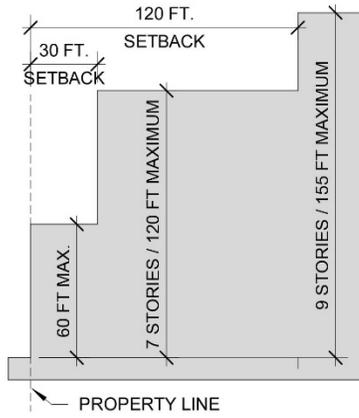


FIGURE 1
SECTION AT MT. VERNON AVENUE
NORTH

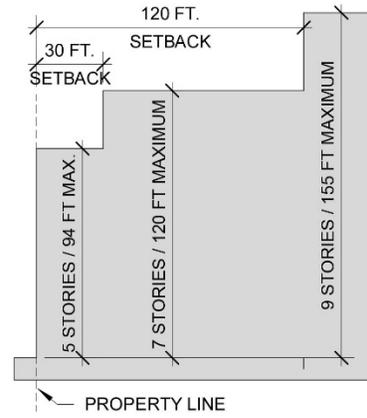


FIGURE 2
SECTION AT BELLEVUE DRIVE AND
MT. VERNON AVENUE - SOUTH

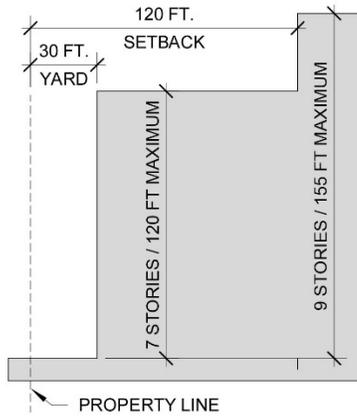


FIGURE 3
SECTION AT SOUTHERN PROPERTY
LINE EAST OF BELLEVUE DRIVE

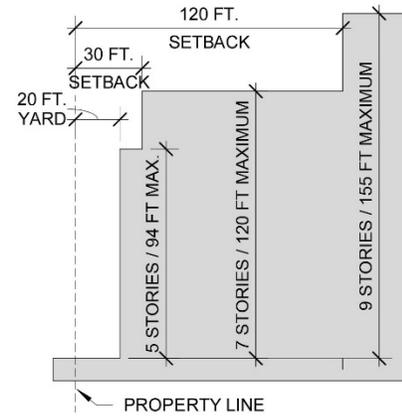


FIGURE 4
SECTION AT SOUTH AVENUE

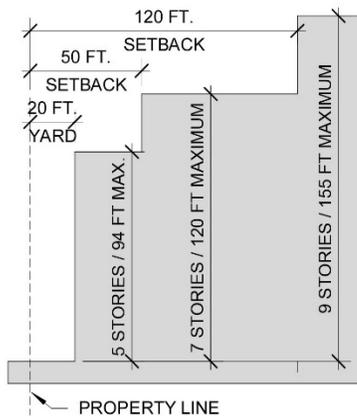


FIGURE 5
SECTION AT ROCKINGHAM STREET
WEST

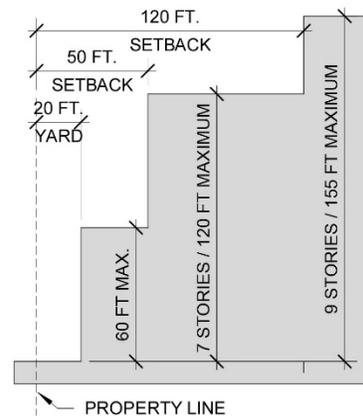


FIGURE 6
SECTION AT ROCKINGHAM STREET
EAST

Figures 1-6 add

- E. **Existing Buildings and Structures Permitted.** Notwithstanding any provisions of this Section or the Zoning Code to the contrary, all buildings and structures existing in the Highland Hospital PD as of the effective date of the adoption of PD #17 shall be deemed to be permitted and conforming with the requirements as outlined herein.
- F. **Off-Street Parking.** There are no minimum or maximum parking requirements in the Highland Hospital PD. All applications for incremental development in PD #17 shall be accompanied by a parking demand analysis or a parking study detailing the effect of the proposed incremental development on existing parking conditions, subject to its acceptance by the Manager of Zoning through the Site Plan Review process.
- G. **Design Requirements.** The Highland Hospital PD is subject to the applicable requirements set forth in Article XIX (City-Wide Design Guidelines and Standards) of the Zoning Code, except that:
- (1) The following Sections of the Zoning Code do not apply to the Highland Hospital PD:
 - a. Section 120-158(C) (Building Entrances).
 - b. Section 120-159(A) (Building Materials).
 - c. Section 120-159(B) (Windows and Transparency).
 - (2) The exterior façade materials of buildings located in the Highland Hospital PD shall include materials that are consistent or compatible with the existing materials on the Campus, including:
 - a. Brick Masonry.
 - b. Cast-in-place or precast concrete panels that are smooth, lightly textured, or patterned.
 - c. Materials with a uniform cut stone appearance, fine to medium-grained.
 - d. Glass.
 - e. Metal wall panels, doors, and window framing.
 - f. Aluminum storefront and curtain wall systems.
 - g. Fiber cement.
 - h. Exterior Insulation Finish System (EIFS), only on façades above 3 stories or the underside of canopies, building overhangs, or other horizontal projections.
 - i. Ceramic and porcelain wall tile that is smooth, lightly textured, or patterned.
 - (3) Windows and transparency.
 - a. All windows shall be clear or lightly tinted.
 - b. Building facades that are within 30 feet of a street frontage shall provide areas of transparency of at least 20% of the overall facade.

- c. Building facades that are between 30 feet and 60 feet away from a street right-of-way shall provide areas of transparency of at least 10% of the overall facade.
- d. The percentage of transparency required on building facades may be reduced to no less than 10% of the overall facade area provided landscaping improvements consisting of one tree, of at least a two-inch caliper, for every 20 feet of street frontage is installed in the required setback area.
- e. The Manager of Zoning may waive the transparency requirements of this Section through the Site Plan Review process based on a determination that the proposed development is in substantial compliance with the overall intent and purpose.

H. Additional Requirements.

- (1) This planned development is subject to the requirements set forth in Article XVII of the Zoning Code regarding planned development districts.
- (2) New development in PD #17 is subject to the following requirements set forth in Article XX (Requirements Applying to All Districts) of the Zoning Code, except where noted herein:
 - a. Section 120-162(A). Purpose.
 - b. Section 120-164. Air quality.
 - c. Sections 120-165(B)(1)-(4). Dumpsters. Dumpsters, loading areas, and refuse storage areas shall be maintained in a neat and orderly appearance and shall be reasonably screened from public view. Screening may include painting, landscaping, fencing, and/or hardscape improvements, or any combination of the foregoing.
 - d. Section 120-170. Lighting.
 - e. Section 120-178. Site Grading.
- (3) Development and redevelopment in PD #17 is subject to Article XXII (Procedures), of the Zoning Code, Section 120-191A Administrative Adjustments.
- (4) Development and redevelopment in PD#17 is subject to the requirements of Article XXIII, (Exceptions) of the Zoning Code relating to height and yards, except that rooftop equipment shall not be included in the calculation of building height. An elevator, stair or equipment penthouse located above the highest story of human occupancy shall not be considered a story, provided such penthouse does not exceed the applicable maximum building height in feet permitted under this Section.
- (5) Fences and walls. A ten-foot perimeter setback shall be required in conjunction with any fence or wall proposed along any street frontage, except a decorative fence or wall of no more than six feet in height in conjunction with landscaping may encroach in the required setback area.
- (6) Signs. Any new signage within the Highland Hospital PD will be subject to the

Highland Hospital Sign Program attached at Exhibit B. All existing signs on the Campus are considered conforming and shall be maintained in good working order; the sign faces may be replaced in kind (size and location).

- (7) Personal wireless telecommunications facilities (PWTF). Personal wireless telecommunications facilities shall be permitted in PD #17 pursuant to Section 120-143 of the Zoning Code and in accordance with the following:
- a. Antennas on buildings. Antennas are permitted on all buildings which are four stories or greater in height, provided that the antennas and related support structures do not extend more than 20 feet above the roofline.
 - b. Telecommunication towers. New telecommunications towers shall not be permitted.

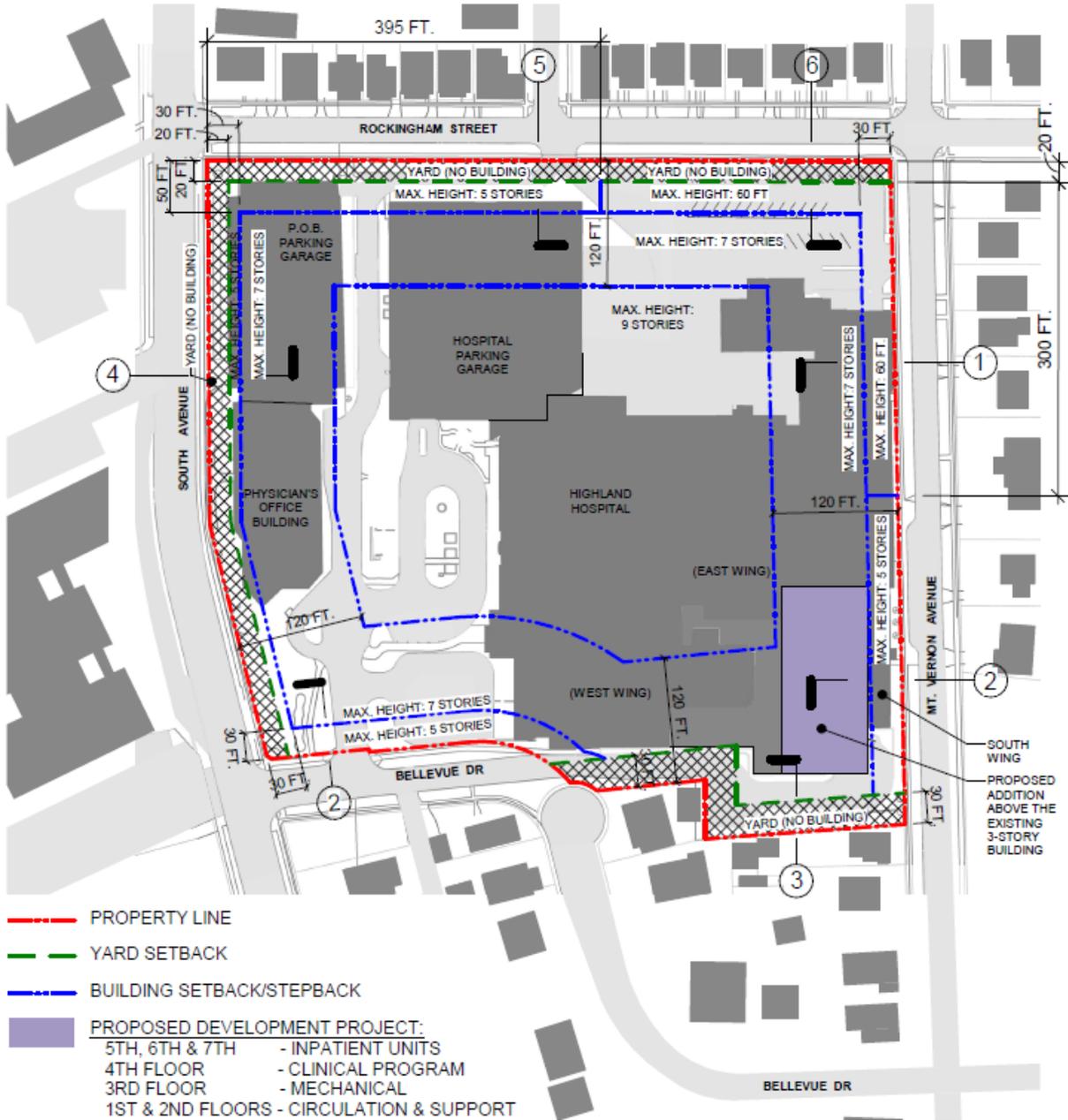


Exhibit B – Highland Hospital Sign Program

- A. Purpose. Hospital and Campus signs in PD #17 are intended to maximize wayfinding and to encourage a quality of design that compliments the building façade and their accent materials, as well as the range of materials and textures found throughout the district. The height, size, location and appearance of signs are regulated to:
1. Protect and enhance the district and neighborhood character;
 2. Encourage sound sign practices by promoting visibility at a scale and appearance that is appropriate for staff and visitors;
 3. Provide clear and concise signage to safely and efficiently guide motorists and pedestrians to their destination; and
 4. Prevent excessive sign clutter and confusing, distractive sign displays.
- B. Allowed signs. The following signs are allowed anywhere in PD #17 without a certificate of zoning compliance provided they fall within any given threshold. Where the thresholds are exceeded, a certificate of zoning compliance will be required.
1. Address signs, decorative flags, signs and banners;
 2. Window signs, logos, graphics painted on or adhered to the glass;
 3. Temporary banners, no larger than 20 square feet in area, displayed no longer than 60 days, indicating special events such as new services offered;
 4. Replacement of "Highland Hospital" and "University of Rochester" branding signs, banners and logos throughout the district;
 5. Seasonal and holiday decorations;
 6. Memorial or historic plaques, markers, monuments or tablets, and the like;
 7. Murals;
 8. Permanent bulletin boards;
 9. Traffic control, safety, parking, no trespassing, informational or directional signs and similar signs; and
 10. Construction, renovation or leasing signs not to exceed 32 square feet in size, erected by a contractor, engineer, architect, real estate or leasing agent and removed at the termination of the portion of the project or activity.
- C. Design Standards.

1. All signs shall be professionally designed and manufactured;
2. Internal and external illumination is permitted; and
3. Accent lighting that is complimentary to the use and building architecture is permitted.

D. Permitted permanent signs. The following signs are permitted anywhere in PD #17 subject to the following requirements. Where the thresholds are exceeded, administrative adjustment approval shall be required.

1. “Highland Hospital and “University of Rochester” branding signs are permitted throughout PD #17; illumination is permitted.
2. Kiosks and directory signs are permitted throughout the district and may include interchangeable panels for on-site services or events.
3. Attached signs, not exceeding 2 square feet in area for every foot of building frontage.
4. The following signs are permitted, subject to Administrative Adjustment as outlined in Section 120-191(A) of the Zoning Code:
Electronic reader boards, monitors or message centers such that they relate through their design, size and height to pedestrians; conform to the surrounding character; do not materially obscure architectural features or details of buildings, structures or important view sheds; and do not promote driver distraction.

E. Prohibited signs.

1. Advertising and Rooftop signs.
2. No sign shall be attached or affixed to light poles, except for decorative banners; trash receptacles; utility poles; street furniture; rocks, ledges, retaining walls or other natural features.
3. No pennants, ribbons, streamers, sheets, spinners or moving devices.

F. Maintenance of signs.

1. Every sign shall at all times be maintained in a safe and structurally sound condition. Signs that do not comply with adequate safety standards shall be removed at the property owner's expense.
2. Signs must be regularly maintained, including the replacement of worn parts, painting and cleaning.

3. The full number of illuminating elements of a sign shall be kept in working condition or immediately repaired or replaced.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Councilmember Patterson moved to discharge Int. No. 59 from committee.

The motion was seconded by Councilmember Spaul.

The motion was adopted unanimously.

Ordinance No. 2019-56
(Int. No. 59)

Amending the Zoning Map by changing the zoning classification of 990-1000 South Avenue to Planned Development District No. 17 — Highland Hospital

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following property from Institutional Planned Development #8 — Highland Hospital to Planned Development District No. 17 — Highland Hospital:

Address	SBL #
990-1000 South Avenue	136.24-1-1.001

and the area extending from that parcel to the center line of any adjoining street, alley, and right-of-way.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-57

Re: Thurston Chili Project Property Tax
Exemption and Payment In Lieu of Taxes
Agreement
Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to Thurston Chili Affordable Housing Project being undertaken by Home Leasing, LLC (Nelson Leenhouts, Principal), located at 447 Thurston Road and 967 Chili Avenue in the 19th Ward neighborhood.

This legislation will:

1. Authorize property tax exemption and payment in lieu of taxes agreements for the Thurston Chili project, which will provide a 30-year exemption for an annual in lieu of payment equal to 10% of the project shelter rents (gross rents minus utility costs), which was recommended for approval by the PILOT Review Committee on February 7, 2019.
2. Authorize the Mayor to execute such agreement and other documents as may be necessary to effectuate the agreement authorized herein.

The renovation of 447 Thurston Road and 963-971 Chili Avenue includes 63 units, 10 studios and 53 one bedrooms ranging between 240-530 square feet. The buildings are currently unregulated. This project will ensure their continued affordability for households with incomes ranging from 40% of AMI to 60% of AMI. In addition, Rents range from \$477-\$832 including utilities. Twenty (20) of the 63 units will be set aside for permanent supportive housing for individuals who were formerly incarcerated and who may have been homeless and/or had a history of substance abuse. In partnership with Spiritus Christi Prison Outreach, SCPO has received an Empire State Supportive Housing Initiative, ESSHI award to provide rental subsidy and support services for the 20 households.

The project scope includes a complete rehabilitation of the buildings, including asbestos abatement, new roofs, new mechanical systems, appliances, security system, kitchens, baths, and finishes. The project will include a complicated relocation and rehabilitation. Home Leasing is developing a temporary relocation plan that will be approved locally and by New York State Homes and Community Renewal (HCR) to provide financial and logistical assistance in the temporary relocation of existing tenants.

The project will receive funding from NYS HCR in the form of a grant for and construction and permanent financing from Community Preservation Corporation.

Home Leasing has been working with tenant advocates and the Thurston Road Tenant Association. They began managing the property on February 1st and intend to take ownership on March 1st.

The sources and uses for the project are summarized below:

Uses

Permanent Sources

March 19, 2019

Land Acquisition	\$	1,400,000	Conventional Loan	\$	1,450,000
Soft Costs	\$	1,111,055	9% LIHTC	\$	0
Hard Costs	\$	6,111,000	NYS HCR	\$	8,746,761
Contingency	\$	611,000	Deferred Developer Fee	\$	0
Development Fee	\$	500,000	City of Rochester	\$	0
Reserves	\$	179,206			
Working Capital	\$	284,500	TOTAL		\$ 10,196,761
TOTAL	\$	10,196,761			

The project is anticipated to begin construction in April 2019 and be completed in December 2019. It will fulfill an obligation of 30% M/WBE contracts (for City and State funds) and workforce goals for the project are 6.9% women and 20% minorities. It is anticipated that the project will create 50 construction jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-33

Ordinance No. 2019-57
(Int. No. 60)

Authorizing payments in lieu of taxes agreement for the Thurston Chili Affordable Housing 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 payments in lieu of taxes agreement ("PILOT agreement") for the Thurston Chili Affordable Housing Project located at 447 Thurston Road and at 963-971 Chili Avenue (the "Project") with Home Leasing, LLC and/or an affiliated partnership or housing development fund corporation formed for the Project. The PILOT agreement shall provide that the Project will be entitled to a real property tax exemption for up to 30 years, provided that the Project remains in use as affordable rental housing and provided that there are annual payments in lieu of taxes made to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 2. The PILOT agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and documents as may be necessary to effectuate the PILOT agreement authorized herein.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.
TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-58

Re: Union Square Project

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Union Square Project, a mixed income rental community with commercial and retail space being undertaken by Home Leasing, LLC at 275 East Avenue, a recently created lot resulting from the Inner Loop East Project in the Center City. This legislation will:

1. Authorize the sale of 275 East Avenue and the adjoining former right of way (a portion of Pitkin Street) for their appraised values of \$340,000 and \$20,000, respectively, to Home Leasing, or a housing development fund corporation to be formed for the project.
2. Authorize property tax exemptions and payment in lieu of taxes (PILOT) agreements for the Union Square project, which will provide a 30-year exemption for an annual PILOT equal to 10% of the project shelter rents (effective gross income from the residential operations minus utilities), as recommended for approval by the PILOT Review Committee on February 7, 2019.

The property at 275 East Avenue, to be known as Union Square, is also identified as Inner Loop East Site 3. As part of the City's efforts to reintegrate the neighborhoods previously separated by the eight-lane highway on the eastern portion of the Inner Loop, a request for proposals for the purchase and redevelopment of this parcel was issued by the City of Rochester. Proposals were evaluated by staff from the Department of Neighborhood and Business Development (NBD), Department of Environmental Services (DES), Bureau of Assessment, and Law Department, as well as the City Council Chief of Staff. The developer was recommended based on the proposed development program and its financial strength.

Home Leasing, LLC (Nelson Leenhouts, Chairman and CEO), along with its partner Trillium Health (Andrea DeMeo, President & CEO), proposes to construct and create an inclusive and diverse mixed income community attractive to young professionals, empty nesters, and active seniors that will be affordable to a wide range of incomes in center city Rochester. The partners are dedicated to creating a LGBTQ affirming-environment that includes access to center city amenities to all members of the community.

Union Square involves the creation of 70 new rental units intended for mixed-income households, with 29% of the units (20) set aside for supportive housing with a rental subsidy that will ensure that the units are affordable to households with incomes at or below 30% of the Area Median Income (AMI). Additionally, 38% of the units (27) will be targeted to households with incomes at or below 60% of (AMI), 10% percent of the units (7) targeted to households with incomes of up to 90% of AMI, and 23% of the units (16) targeted to households with incomes of up to 120% AMI. The 20 units set aside for supportive housing will be for formerly homeless persons living with HIV/AIDS (10), or frail/elderly households (10). Trillium Health has already been awarded funding for rental assistance and supportive housing services for these formerly homeless households, which are anticipated to have incomes at or below 30% AMI.

The development includes the construction of a single four-story, approximately 76,000 square foot building fronting East Avenue, Union Street and Broad Street, along with a 20 space surface parking lot at the rear

of the site access from the former-right-of-way. (A current submission from DES relating to the abandonment of the right-of-way is also before City Council in March.)

The first floor includes 4 two-bedroom walk-up units, a lobby area with mailboxes, community space, fitness room, and bicycle storage for tenants, an on-site property management office and mechanical room. The first floor also incorporates commercial spaces: a pharmacy to be run by Trillium Health with related offices, a restaurant space along East Avenue, a small commercial/retail space and a central pedestrian accessible walk-way allowing for mid-block foot traffic. Floors 2, 3 and 4 will be comprised of the other 66 apartment units in this residential community, and include 54 one-bedroom apartments and 12 two-bedroom apartments.

Central elevator access will be provided for upper level apartments. Additional project amenities include patios and balconies, a third floor lounge, a rooftop terrace, and bulk storage incorporated into the units. All utilities will be paid by the owner and are readily available on site. This \$19.6 million project will utilize the following New York State funding sources: Tax Exempt Bonds, Supportive Housing Opportunity Program, New Construction Program, Middle Income Housing Program, Commercial Investment Funds, Energy Research and Development Authority (NYSERDA), deferred developer fee and limited partner equity. The City of Rochester will not be lending funds to the project.

Union Square will be the fourth development undertaken by Home Leasing. in this area in recent years, and the addition of this rental community will further expand the range of housing options for households at various income ranges in the Center City. The project will take further advantage of the unique opportunity to contribute toward the reshaping of the city’s center, promoting increased vibrancy in the neighborhood, community wellness, public safety, beautification and the realization of other community initiatives underway in the area such as the Rochester-Monroe Anti-Poverty Initiative, or R-MAPI.

The funding sources and uses for the project are summarized below:

<u>Uses</u>		<u>Permanent Sources</u>	
Land Acquisition	\$ 360,000	Tax Exempt Bonds	\$ 4,510,000
Soft Costs	3,103,232	NYS SHOP	3,000,000
Res. Hard Costs	12,447,924	NYS NCP/SHOP	2,565,000
Comm. Hard Costs	489,440	NYS MIHP	2,185,000
Contingency	560,647,271	NYS Commercial Invest Fund	1,500,000
Working Cap &	295,104	NYSERDA	59,600
Reserves		Deferred Developer Fee	1,248,461
Development Fee	2,359,164	Limited Partner Equity	4,547,451
TOTAL	\$ 19,615,511	TOTAL	\$ 19,615,511

The project is anticipated to begin construction in October 2019 and be completed in the summer of 2020. It will fulfill an obligation of 30% M/WBE contracts for State funds, and workforce goals of 6.9% women and 20% minorities. It is anticipated that the project will create 100 construction jobs and three permanent jobs.

Respectfully submitted,
Lovely A. Warren

Mayor

Attachment No. AS-34

Ordinance No. 2019-58
(Int. No. 61)

Authorizing the sale of real estate and a payments in lieu of taxes agreement for the Union Square Project

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

Section 1. The Council hereby approves the negotiated sale with proposal of the following parcels to Home Leasing, LLC and/or an affiliated partnership or housing development fund corporation formed for the Project (collectively, the “Developer”) in order to develop the Union Square Project comprised of a mixed income residential rental community with commercial and retail space (the “Project”):

Address	S.B.L.#	LotSize	Price
275 East Avenue	121.25-2-43.1	0.68 acre	\$340,000
Portion of Pitkin St.	to be determined	0.186 acre	\$ 20,000

The second listed parcel consists of a portion of the Pitkin Street right-of-way that adjoins the first parcel and is to be abandoned as right-of-way in separate legislation.

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

Section 3. The Mayor is hereby authorized to enter into a payments in lieu of taxes agreement (“PILOT agreement”) for the Project with the Developer. The PILOT agreement shall provide that the Project will be entitled to a real property tax exemption for up to 30 years, provided that the Project remains in use as affordable rental housing and provided that there are annual payments in lieu of taxes made to the City of Rochester equal in total to no less than 10% of the Project’s annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 4. The PILOT agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and documents as may be necessary to effectuate the PILOT agreement authorized herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.
TO THE COUNCIL
Ladies and Gentlemen:

March 19, 2019

Resolution No. 2019-3

Re: Re-appointments to the City of Rochester
Stationary Engineer/Refrigeration Operators Board

Transmitted herewith for your approval is legislation confirming the re-appointment of the current members of the City of Rochester Stationary Engineer/Refrigeration Operators Board. This Board has six members, one of whom is an ex-officio member from the City (Casmic Reid, Plans Examiner). Three members of the Board are serving in expired terms; two members' terms (Dodson and Wilson-Ladd) will expire in July 2019. We are requesting that all five members be appointed to new, three year terms which will expire on March 31, 2022. All members must be residents of Monroe County.

<u>Name</u>	<u>Address</u>	<u>Attendance (past 2 years)</u>
Walter Dodson	730 Ling Road, Apt. 7, Greece, NY 14612	24/24
Lillie Wilson-Ladd	99 Garson Avenue, Rochester, NY 14609	24/24
Michael Kaiser	794 Washington Street, Spencerport, NY 14559	18/24
William Perez	171 Pardee Road, Irondequoit, NY 14609	19/24
Guy Pientrantoni	99 Stony Point Road, Ogden, NY 14624	20/24

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

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2019-3
(Int. No. 62)

Resolution approving appointments to the Board of Examiners of Stationary Engineers and Refrigeration Operators

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

Section 1. The Council hereby approves the appointment of the following individuals to the Board of Examiners of Stationary Engineers and Refrigeration Operators, each for a term which shall expire on March 31, 2022:

Name	Address
Walter Dodson	730 Ling Road, Apt. 7, Greece, NY 14612
Lillie Wilson-Ladd	99 Garson Avenue, Rochester, NY 14609
Michael Kaiser	794 Washington Street, Spencerport, NY 14559
William Perez	171 Pardee Road, Irondequoit, NY 14609
Guy Pientrantoni	9 Stony Point Road, Ogden, NY 14624

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2019-4
Re: Appointments and Re-appointments to the
City of Rochester Electrical Examining Board

Transmitted herewith for your approval is legislation confirming the appointment of three new members to the Electrical Examining Board and the re-appointment of three current members. This board has seven members, one of whom is an ex-officio member from the City (Rick Fornataro, City Electrical Inspector). The current members are all serving in expired terms. Therefore, each member will serve a new, three year term which will expire on March 31, 2022. All members must be residents of Monroe County.

Appointments of three new members:

<u>Name</u>	<u>Address</u>
David Dunwoody	388 N. Park Drive, Rochester, NY 14609
Kereem Berry	568 Wellington Avenue, Rochester, NY 14619
Jeffrey Kloc	950 Center Place, Greece, NY 14615

Re-appointments of three current members:

<u>Name</u>	<u>Address</u>	<u>Attendance (past 2 years)</u>
Robert L. DeNoto, Jr.	855 Meadow Ridge Lane, Webster, NY 14580	18/20
Walter Parkes	4 Kerrygold Way, Pittsford, NY 14534	17/20
Dennis Schaut	51 Vayo Street, Irondequoit, NY 14609	20/20

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

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2019-4
(Int. No. 63)

Resolution approving appointments to the Electrical Examining Board

March 19, 2019

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

Section 1. The Council hereby approves the appointment of the following members to the Electrical Examining Board, each for a term that shall expire on March 31, 2022:

Name	Address
David Dunwoody	388 N. Park Drive, Rochester, NY 14609
Kereem Berry	568 Wellington Avenue, Rochester, NY 14619
Jeffrey Kloc	950 Center Place, Greece, NY 14615
Robert L. DeNoto, Jr.	855 Meadow Ridge Lane, Webster, NY 14580
Walter Parkes	4 Kerrygold Way, Pittsford, NY 14534
Dennis Schaut	51 Vayo Street, Irondequoit, NY 14609

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Evans
March 19, 2019

To the Council:

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

Int. No. 64	Authorizing an agreement for the Joseph A. Floreano Rochester Riverside Convention Center Partition Wall Replacement project
Int. No. 65	Authorizing an agreement for the Emergency Communications Department Facility Improvements Project
Int. No. 66	Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,121,000 Bonds of said City to finance the costs of the Emergency Communications Department Facility Improvements project
Int. No. 67	Authorizing agreements for the Roc the Riverway initiative, <u>as amended</u>
Int. No. 70	Authorizing an agreement for water main valve box adjustments and replacements
Int. No. 71	Amending Ordinance No. 2019-28

March 19, 2019

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

- Int. No. 68 Amending the Official Map by abandoning a portion of Pitkin Street
- Int. No. 69 Amending the Official Map and authorizing the sale of real estate
- Int. No. 72 Authorizing pavement width changes related to the Strong Neighborhood of Play development project

Respectfully submitted,
Malik Evans
Mitch Gruber
Elaine M. Spaul (Abstained on Int. No. 64 and Int. No. 67)
Adam C. McFadden
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-59
Re: Agreement – Clark Patterson Engineers,
Surveyor, Architects and Landscape Architect
DPC Joseph A. Floreano Rochester Riverside
Convention Center Partition Wall
Replacements

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to Joseph A. Floreano Rochester Riverside Convention Center Partition Wall Replacements project. This legislation will establish \$150,000 as maximum compensation for a professional services agreement with Clark Patterson Engineers, Surveyor, Architects and Landscape Architect DPC (Todd Liebert, CEO) 205 St. Paul Street, Suite 500, Rochester NY 14604 for design and construction administration services.

The Joseph A. Floreano Rochester Riverside Convention Center Partition Wall Replacement project includes replacement of multiple operable partition walls and the associated track systems for these walls. The agreement will be funded by bonds issued in January 2018 (Ordinance No. 2018-8).

Clark Patterson Engineers, Surveyor, Architects and Landscape Architect DPC was selected for design services through a request for proposal process, which is described in the attached summary. The agreement shall extend until three (3) months after completion of a two (2) year guarantee inspection of the project.

March 19, 2019

Design phase services will begin in spring 2019 and construction beginning in summer 2020. The agreement will result in the creation and/or retention of the equivalent of 1.63 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-35

Ordinance No. 2019-59
(Int. No. 64)

Authorizing an agreement for the Joseph A. Floreano Rochester Riverside Convention Center Partition Wall Replacement project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Clark Patterson Engineers, Surveyor, Architects and Landscape Architect DPC in the maximum amount of \$150,000 for design and construction administration services for the Joseph A. Floreano Rochester Riverside Convention Center Partition Wall Replacement project. Said amount shall be funded from bonds previously appropriated for this purpose in Ordinance No. 2018-8. The term of the agreement shall continue to 3 months after completion of a two-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes: President Scott, Councilmembers Clifford, Evans, Gruber, Lightfoot, McFadden, Ortiz, Patterson -8.

Nays: None -0.

Councilmember Spauld abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

March 19, 2019

Ordinance No. 2019-60
Ordinance No. 2019-61
Re: Agreement – Erdman, Anthony and
Associates, Inc. - Emergency
Communications Department Facility
Improvements

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to Emergency Communications Department Facility Improvements. This legislation will:

1. Establish \$164,000 as maximum compensation for a professional services agreement with Erdman, Anthony and Associates, Inc. (Bruce Wallman, Principal Associate) 145 Culver Road, Suite 200, Rochester, NY 14620 for design and construction administration services. The cost of the agreement will be financed from bonds to be issued herein.
2. Authorize the issuance of bonds totaling \$1,121,000 and the appropriation of the proceeds thereof to finance the Project.

The Emergency Communications Department Facility Improvements project includes the replacement of cooling equipment, air handling unit, heat pumps, exhaust fans, mechanical loop pumps and drives, and upgrading the building management system. The project also includes refurbishment and upgrades for the 480 kW natural gas generator. The estimated total cost of the project is \$1,121,000.

Erdman, Anthony and Associates, Inc. was selected for design services through a request for proposal process, which is described in the attached summary. The agreement shall extend until three (3) months after completion of a two (2) year guarantee inspection of the project.

Design phase services will begin in spring 2019 with scheduled completion in fall 2019. Construction will be completed in fall 2020. The project will result in the creation and/or retention of the equivalent of 12.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-36

Ordinance No. 2019-60
(Int. No. 65)

Authorizing an agreement for the Emergency Communications Department Facility Improvements Project

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

March 19, 2019

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Erdman, Anthony and Associates, Inc. for design and construction administration services for the Emergency Communications Department Facility Improvements Project. The maximum compensation for the agreement shall be \$164,000 and that amount, or so much of thereof as is necessary, shall be funded from the proceeds of bonds to be authorized and appropriated for the Project. The term of the agreement shall continue to 3 months after completion of a two-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2019-61
(Int. No. 66)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,121,000 Bonds of said City to finance the costs of the Emergency Communications Department Facility 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 design and construction administration services for the Emergency Communications Department Facility improvements which include the costs of the replacement of cooling equipment, air handling unit, heat pumps, exhaust fans, mechanical loop pumps and drives, upgrading the building management system and refurbishment and upgrades for the 480 kW natural gas generator at the Emergency Communications Department Facility (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 \$1,121,000. The plan of financing includes the issuance of \$1,121,000 bonds of the City to finance this appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,121,000 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 \$1,121,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-62

Re: Agreements – Roc the Riverway

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

Transmitted herewith for your approval is legislation related to the Roc the Riverway initiative. This legislation will authorize the Mayor to enter into agreements with Empire State Development, the New York State Department of State, and the New York State Department of Transportation, as necessary, to participate in and administer the projects.

The Roc the Riverway initiative is a bold and progressive plan to revitalize the City’s Genesee Riverfront. It represents years of planning and community engagement involving many riverfront projects, culminating in a cohesive vision for improving our City’s most important natural asset. In February 2018, Governor Cuomo announced an initial commitment of \$50,000,000 to implement the first phase of this vision and, in August 2018, the Governor announced which projects would be part of this initial commitment. The following projects were awarded funding through the Upstate Revitalization Initiative (URI) and will be administered by these three state agencies: Empire State Development (ESD), the New York State Department of State (NYS DOS), and the New York State Department of Transportation (NYSDOT).

<u>Project Name</u>	<u>State Agency</u>	<u>URI Funding</u>	<u>Total Cost</u>
Blue Cross Arena	ESD	\$6,000,000	\$6,000,000
High Falls Overlook Feasibility Study	ESD	\$150,000	\$150,000
Riverside Convention Center	ESD	\$5,000,000	\$10,000,000
Rundel Library North Terrace	ESD	\$1,500,000	\$7,800,000
Front Street Promenade	NYS DOS	\$1,250,000	\$1,250,000
Genesee Gateway Park	NYS DOS	\$2,000,000	\$3,900,000
Riverway Main to Andrews East -West	NYS DOS	\$16,000,000	\$21,000,000
Riverway Main to Andrews West -East	NYS DOS	\$4,000,000	\$6,650,000
Aqueduct Re-Imagined	NYSDOT	\$4,500,000	\$4,500,000
Brewery Line Trail South	NYSDOT	\$500,000	\$1,075,000
Pont de Rennes Bridge	NYSDOT	\$4,000,000	\$8,925,000
Roc City Skate Park	NYSDOT	\$1,000,000	\$1,650,000
Running Track Bridge	NYSDOT	\$500,000	\$500,000
St Paul Street Underpass	NYSDOT	\$350,000	\$350,000

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-37

Ordinance No. 2019-62
(Int. No. 67, as amended)

Authorizing agreements for the Roc the Riverway initiative

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

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

Project Name	State Agency	URI Funding	Total Cost
Blue Cross Arena	ESD	\$6,000,000	\$6,000,000
High Falls Overlook Feasibility Study	ESD	\$150,000	\$150,000
Riverside Convention Center	ESD	\$5,000,000	\$10,000,000
Rundel Library North Terrace	ESD	\$1,500,000	\$7,800,000
Front Street Promenade	NYS DOS	\$1,250,000	\$1,250,000
Genesee Gateway Park	NYS DOS	\$2,000,000	\$3,900,000
Riverway Main to Andrews East West	NYS DOS	\$16,000,000	\$21,000,000
Riverway Main to Andrews West <u>East</u>	NYS DOS	\$4,000,000	\$6,650,000
Aqueduct Re-Imagined	NYSDOT	\$4,500,000	\$4,500,000
Brewery Line Trail South	NYSDOT	\$500,000	\$1,075,000
Pont de Rennes Bridge	NYSDOT	\$4,000,000	\$8,925,000
Roc City Skate Park	NYSDOT	\$1,000,000	\$1,650,000
Running Track Bridge	NYSDOT	\$500,000	\$500,000
St Paul Street Underpass	NYSDOT	\$350,000	\$350,000

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

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes: President Scott, Councilmembers Clifford, Evans, Gruber, Lightfoot, McFadden, Ortiz, Patterson -8.

Nays: None -0.

Councilmember Spauld abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-63
Re: Official Map Amendment – Abandonment of

March 19, 2019

a Portion of Pitkin Street

Transmitted herewith for your approval is legislation amending the Official Map by abandoning a portion of Pitkin Street. The abandonment was referred to the necessary agencies for comment.

Abandonment of right-of-way to private parcel will provide for construction of off street parking, and access for fire equipment and abutting property owner.

The fee portions of Pitkin Street were appraised by independent real estate appraiser, Kevin Bruckner, as of August, 2018. The appraised value of these parcels is \$20,000. This ordinance will authorize the sale to the applicant, Home Leasing LLC (Nelson Leenhouts, Chairman and CEO) or a housing development fund corporation to be formed for the project for that amount.

The City Planning Commission, in its February 11, 2019 meeting recommended approval of this abandonment by a vote of 6-0-0. Minutes of that meeting, along with the application, are attached.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal is a Type II Action requiring no further environmental review.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-38

Ordinance No. 2019-63
(Int. No. 68)

Amending the Official Map by abandoning a portion of Pitkin Street

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by changing and deleting therefrom the following described property, heretofore dedicated to street purposes and constituting a portion of Pitkin Street:

**Legal Description of a Portion of Pitkin Street
to be Abandoned**

Parcel 3

March 19, 2019

All that tract of parcel of land, situate in the City of Rochester, County of Monroe, State of New York and being more particularly bounded and described as follows: Beginning at the southwesterly corner of Tax Map Parcel 121.25-2-43.1, and as described in the deed filed in Monroe County Clerk's Office at Liber 11757 of Deeds, Page 395; thence

- 1) N 68° 01' 45" W through the lands now or formerly owned by New York State interstate 490 Inner Loop, a distance of 8.02 feet to an angle point; thence
- 2) N 21° 19' 45" E continuing through the lands now or formerly owned by New York State interstate 490 Inner Loop, a distance of 11.81 feet to angle point; thence
- 3) S 77° 43' 08" W continuing through the lands now or formerly owned by New York State interstate 490 Inner Loop, a distance of 0.72 feet to angle point; thence
- 4) N 12° 16' 52" W continuing through the lands now or formerly owned by New York State interstate 490 Inner Loop, a distance of 30.19 feet to a point on the westerly ROW of Pitkin Street; thence
- 5) N 20° 49' 02" E along said westerly ROW of Pitkin Street, a distance of 154.89 feet to a point; thence
- 6) N 23° 35' 17" E continuing along said westerly ROW of Pitkin Street, a distance of 81.84 feet to a point; thence
- 7) N 18° 11' 12" E continuing along said westerly ROW of Pitkin Street, a distance of 67.19 feet to the point of intersection of the southerly ROW of East Avenue and the westerly ROW of Pitkin Street; thence
- 8) S 73° 54' 19" E through the lands now or formerly owned by New York State interstate 490 Inner Loop, a distance of 24.21 feet to the point of intersection of the southerly ROW of East Avenue and the easterly ROW of Pitkin Street; thence
- 9) S 20° 49' 02" W along said easterly ROW of Pitkin Street, a distance of 342.67 feet to the Point of Beginning.

Hereby intending to describe a parcel of land containing 0.179 more or less acres of land, dedicated as Pitkin Street per Ordinance no. 2018-132, all as shown on a map entitled "Portion of Pitkin Street Right of Way to be Abandoned", dated August 9, 2018, as prepared by Passero Associates.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

March 19, 2019

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-64
Re: Official Map Amendment – Abandonment
of Amity Alley, and Sale of Real Estate

Transmitted herewith for your approval is legislation amending the Official Map by Abandoning Amity Alley. The abandonment was referred to the necessary agencies for comment.

Abutting property owner, Tim Tompkins, 107-115 Liberty Pole Way LLC, has applied to the City of Rochester to abandon Amity Alley and combine the property to existing parking area.

The fee portions of Amity Alley were appraised by independent real estate appraiser, Kevin Bruckner, as of September 2018. The appraised value of these parcels is \$1,100.00. This ordinance will authorize the sale to the applicant, 102-110 Franklin, LLC for that amount.

The City Planning Commission, in its January 14, 2019 meeting recommended approval of this abandonment by a vote of 6-0-0. Minutes of that meeting, along with the application, are attached.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal is a Type II Action requiring no further environmental review.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-39

Ordinance No. 2019-64
(Int. No. 69)

Amending the Official Map and authorizing the sale of real estate

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by changing and deleting therefrom the following described property, heretofore dedicated to street purposes and constituting Amity Alley: a ten foot wide right-of-way, starting at Pleasant Street and extending to its northernmost terminus.

Section 2. The Council hereby approves the negotiated sale of the former Amity Alley right-of-way abandoned in Section 1 to the abutting property owner, 102-110 Franklin LLC, to combine the property with an existing parking area. The sale price shall be \$1,100.

March 19, 2019

Section 3. City taxes and other City charges, except water charges, against said property 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 property free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-65
Re: Agreement – New York State Department of
Transportation Lake Avenue (Lyell Avenue –
Parkdale Terrace) -Water System Work

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Department of Transportation (NYSDOT) to include water main valve box adjustments/replacements as part of their Lake Avenue (Lyell Avenue to Parkdale Terrace) asphalt resurfacing project.

Over 60 water valve boxes are impacted by the project and will require either adjustment or replacement. This authorization will allow NYSDOT to perform the necessary work. This work will be performed at no cost to the City. The City agrees to maintain the water facilities that are adjusted or replaced as part of this project.

This legislation also authorizes the Mayor to sign all documents that may be necessary as a result of this project as it relates to the water system improvements.

Construction will be performed by the NYSDOT's contractor and is expected to take place during 2019. Design, inspection and RPR will be provided by the NYSDOT.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-65
(Int. No. 70)

Authorizing an agreement for water main valve box adjustments and replacements

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

March 19, 2019

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation (NYSDOT) to incorporate water main valve box adjustments/replacements as part of NYSDOT's Lake Avenue from Lyell Avenue to Parkdale Terrace asphalt resurfacing project (the Project).

Section 2. The Mayor is hereby authorized to execute such other documents as may be necessary to effectuate the agreement authorized herein and the City agrees to maintain the water facilities that are adjusted or replaced under the agreement.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-66
Re: Technical Amendment to Ordinance
No.2019-28

Transmitted herewith for your approval is legislation amending Ordinance No. 2019-28, to make technical amendments to the properties' legal descriptions to accurately amend the Official Map.

This legislation needs to be considered concurrently with this month's item amending Ordinance No. 2018-289 for the 52 Broadway Development Project.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-67
(Int. No. 71)

Amending Ordinance No. 2019-28

Section 1. Ordinance No. 2019-28, Amending the Official Map, is hereby amended to read in its entirety as follows:

Amending the Official Map

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

Section 1. Chapter 76 of the Municipal Code, Official Map, as amended, is hereby further amended by changing and deleting therefrom the following parcel heretofore dedicated to street purposes:

PROPOSED REVERSE APPROPRIATION ABANDONMENT OF A SECTION OF EAST BROAD STREET. TO THE INN ON BROADWAY

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe and State of New York being known and described as part of lots 35 & 36 of the Triangular Tract, also being an existing piece of land of the Right of Way of East Broad Street and more particularly bounded and described as follows:

Beginning at the point of intersection of the northerly bounds of East Broad Street (right of way varies) and the westerly bounds of Ajax Alley (right of way 15' wide), Said point also being the southeast corner of Tax Parcel No. 121.25-02-36; thence

- 1) S21°22'35"W , a distance of 11.16 feet to a point of curvature; thence
- 2) Continuing along a curve to the right having a radius of 5.00 feet, an arc length of 5.67 feet and delta angle of 65°00'50" to a point of tangency; thence
- 3) S 86°23'27"W, a distance of 38.94 feet to a point of curvature; thence
- 4) Continuing along a curve to the right having a radius of 11.60 feet, an arc length of 11.41 feet and delta angle of 56°20'20" to a point of reverse curvature; thence
- 5) Continuing along a curve to the left having a radius of 382.74 feet, an arc length of 8.85 feet and delta angle of 01°19'27" to a point on the said existing northerly bounds of East Broad Street; thence
- 6) N85°32'00"E, along the said existing northerly bounds of East Broad Street a distance of 60.52 feet to the point and place of beginning, representing a parcel which contains 0.016 acres more or less.

Section 2. Chapter 76 of the Municipal Code, Official Map, as amended, is hereby further amended by dedicating the following 9 City-owned parcels as public right-of-way, as more particularly described below and as depicted in maps on file with the City Clerk.

**LEGAL DESCRIPTION OF PROPOSED LANDS TO BE DEDICATED
AS EAST BROAD STREET
407 EAST BROAD STREET**

**T.A. #121.33-1-1
(Map 6 Parcel 12)**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York and being more particularly bounded and described as follows: Beginning at a point in the southerly ROW line of East Broad Street (ROW Varies) with the easterly ROW line of Manhattan Square Drive (45' ROW); said intersection being the Point or Place of Beginning; thence

- 1) North 21°52'44" East, along the southerly ROW line of East Broad Street, a distance of 19.34 feet to a point; thence
- 2) North 77°43'41" East, continuing along the southerly ROW line of East Broad Street, a distance of 53.70 feet to a point; thence
- 3) North 86°06'59" East, continuing along the southerly ROW line of East Broad Street, a distance of 109.69 feet to a point on the division line between the property of now or form The City of Rochester (T.A. #121.33-1-1) on the north and the property of now or formerly Southeast Loop Area Three B Part 1A Houses, Inc. (T.A. #121.33-1-3) on the south; thence
- 4) South 77°43'41" West, along the last mentioned division line a distance of 173.07 feet to the Point or Place of Beginning

Hereby intending to describe a parcel of land containing 1814 square feet more or less, all as shown as parcel P12 on a map entitled "Map of Fee Acquisition" - East Broad Street – Manhattan Square Drive Intersection", prepared by Fisher Associates and dated July 08, 2010.

**LEGAL DESCRIPTION OF PROPOSED LAND TO BE DEDICATED
AS MANHATTAN SQUARE DRIVE
55 MANHATTAN SQUARE DRIVE
T.A.#121.33-1-3.002
(Map 6 Parcel 13)**

All that tract or parcel of land situate in the City of Rochester, County of Monroe, State of New York and being more particular bounded and described as follows: Beginning at a point in the southerly ROW line of East Broad Street (ROW Varies) with the easterly ROW line of Manhattan-Square Drive (45' Wide) said point also being the division line between the property of now or formerly The City of Rochester (T.A. #121.33-1-1) on the north and the property of now or formerly South Loop Area Three B Part 1A Houses, Inc. on the south; said intersection being the Point or Place of Beginning; thence

- 1) North 77°43'41" East, along the last mentioned division line, a distance of 57.80 feet to a point; thence
- 2) South 65°42'36" West, through lands at No. 463 East Broad Street a distance of 11.89 feet to a point at the ~~corner~~corner of an existing face of a building; thence

- 3) South 21°18'39" West, through lands at No. 463 East Broad Street and along the existing face of building a distance of 135.70 feet to a point; thence
- 4) North 68°41'21" West, through lands at No. 463 East Broad Street a distance of 2.57 feet to the easterly ROW line of Manhattan Square Drive; thence
- 5) North 21°19'31" East, along the easterly ROW line of Manhattan Square Drive a distance of 17.58 feet to a point of curvature; thence
- 6) Northerly along the easterly ROW line of Manhattan Square Drive, on a curve to left having a radius of 127.50 feet through a central angle of 33°35'50", a distance of 74.76 feet to a point of tangency; thence
- 7) North 20°16'19" West, along the easterly ROW line of Manhattan Square Drive a distance of 28.91 feet to the Point or Place of Beginning.

Hereby intending to describe a parcel of land containing 2015 square feet, more or less, all as shown as parcel P13 on a map entitled "Map of Fee Acquisition - East Broad Street-Manhattan Square Drive Intersection", prepared by Fisher Associates and dated July 08, 2010.

**LEGAL DESCRIPTION OF PROPOSED LANDS TO BE DEDICATED
AS CHESTNUT STREET
121 CHESTNUT STREET
T.A. #121.32-2-2.002
(Map 3 Parcel 6)**

All that tract or parcel of land situate in the City of Rochester, County of Monroe, State of New York, and being more particularly bounded and described as follows: Beginning at a point in the southerly ROW line of East Broad Street (80' ROW) with the westerly ROW line of Chestnut Street (66' ROW); said intersection being the Point or Place of Beginning; thence

- 1) South 02°35'35" East, along the westerly ROW line of Chestnut Street, a distance of 124.52 feet to a point; thence
- 2) North 15°43'47" West, through lands at No. 131 Chestnut Street, a distance of 22.00 feet to a point; thence
- 3) North 02°35'35" West, through lands at No. 131 Chestnut Street and parallel with Chestnut Street, a distance of 90.00 feet to a point; thence
- 4) North 35°50'49" West, through lands at No. 131 Chestnut Street, a distance of 15.50 feet to the ~~south~~ southerly ROW line of East Broad Street; thence
- 5) North 86°51'31" East, along the south ROW line of East Broad Street, a distance of 13.50 feet to the Point or Place of Beginning.

Hereby intending to describe a parcel of land containing 624 square feet more or less, all as shown as parcel P6 on a map entitled "Map of Fee Acquisition/Temporary Easement

to be Acquired – East Broad Street – Chestnut Street Intersection", prepared by Fisher Associates and dated July 08, 2010

**LEGAL DESCRIPTION OF PROPOSED LANDS TO BE DEDICATED
AS CHESTNUT STREET
90 CHESTNUT STREET
T.A.#121.24-2-25.002
(Map 3 Parcel 7)**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, and being more ~~particular~~particularly bounded and described as follows: Beginning at a point in the southerly ROW line of East Broad Street (80' ROW) with the easterly ROW line of Chestnut Street (66' ROW); said intersection being the Point or Place of Beginning; thence

- 1) North 86°51'31" East, along the southerly ROW line of East Broad Street a distance of 11.50 feet to a point; thence
- 2) South 42°07'15" West, through lands at No. 100 Chestnut Street, a distance of 16.34 feet to the easterly ROW line of Chestnut Street; thence
- 3) North 02°35'35" West, along the easterly ROW line of Chestnut Street, a distance of 11.50 feet to the Point or Place of Beginning

Hereby intending to describe a parcel of land containing 66 square feet more or less, all as shown as parcel P7 on a map entitled "Map of Fee Acquisition/Temporary Easement to be Acquired" - East Broad Street - Chestnut Street Intersection", prepared by Fisher Associates and dated July 08, 2010.

**LEGAL DESCRIPTION OF PROPOSED LANDS TO BE DEDICATED
AS CHESTNUT STREET
141 CHESTNUT STREET
T.A.#121.32-2-2.003
(Map 4 Parcel 9)**

All that track or parcel of land situate in the City of Rochester, County of Monroe, State of New York and being more particularly bounded and described as follows: Beginning at a point in the northerly ROW line of Court Street (ROW Varies) with the westerly ROW line of Chestnut Street (66' ROW); said intersection being the Point or Place of Beginning; thence

- 1) South 76°54'25" West, along the northerly ROW line of Court Street, a distance of 9.00 feet to a point; thence
- 2) North 43°05'32" East, through lands at No. 131 Chestnut Street, a distance of 12.37 feet to a point on the westerly ROW line of Chestnut Street; thence

- 3) South 02°35'35" East, along the westerly ROW of Chestnut Street, a distance of 7.00 feet to the Point or Place of Beginning

Hereby intending to describe a parcel of land containing 31 square feet more or less, all as shown as parcel P9 on a map entitled "Map of Fee Acquisition-Court Street-Chestnut Street Intersection", prepared by Fisher Associates and dated July 07, 2010.

**LEGAL DESCRIPTION OF PROPOSED LAND TO BE DEDICATED
AS CHESTNUT STREET
110 CHESTNUT STREET
T.A.#121.24-2-25.003
(Map 4 Parcel 10)**

All that track or parcel of land situate in the City of Rochester, County of Monroe, State of New York and being more particularly bounded and described as follows: Beginning at a point in the northerly ROW line of Court Street (66' Wide) with the easterly ROW line of Chestnut Street (66' ROW); said intersection being the Point or Place of Beginning; thence

- 1) North 02°35'35" West, along the easterly ROW line of Chestnut Street, a distance of 41.76 feet to a point; thence
- 2) South 09°24'58" East, through lands at No. 100 Chestnut Street a distance of 33.00 feet to a point of curvature; thence
- 3) Southeasterly on a curve to the left having a radius of 8.50 feet through a central angle of 69°16'11", a distance of 10.28 feet to a point on the northerly ROW line of Court Street; thence
- 4) South 77°43'41" West, along the northerly ROW line of Court Street, a distance of 10.47 feet to the Point or Place of Beginning.

Hereby intending to describe a parcel of land containing 115 square feet more or less, all as shown as parcel P10 on a map entitled "Map of Fee Acquisition- Court Street - Chestnut Street Intersection" prepared by Fisher Associates and dated July 07, 2010.

**LEGAL DESCRIPTION OF PROPOSED
LANDS TO BE DEDICATED AS BROADWAY
PART OF 64 BROADWAY STREET
T.A. #121.25-2-39.2**

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe and State of New York being known and described as part of lots 35 & 36 of the Triangular Tract, also now or formerly consisting of existing Tax Parcels No. 121.25-02-39.2 and more particularly bounded and described as follows:

Beginning at a point in the easterly ROW line of Broadway Street (55' ROW) at its intersection with division line between the property of now or formerly The City of Rochester (T.A. #121.25-2-38.2) on the southeast and the property of now or formerly

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The City of Rochester (T.A. #121.25-2-39.2) on the northwest; said intersection being the Point or Place of Beginning; thence

- 1) North 18° 09' 45" East, along the easterly ROW line of Broadway ~~Street~~, a distance of 83.83 feet to a point; thence
- 2) South 04° 07' 28" East, through lands at No. 50 Broadway ~~Street~~, a distance of 2.89 feet thence
- 3) Southerly along a curve to the left having a radius of 107.82 feet, a delta angle of 08° 52' 08", a curve length of 16.69 feet, a chord of North 09° 34'23" East, and a chord length of 16.67 feet to a point on the division line between the property of now or formerly The City of Rochester (T.A. #121.25-2-38.2) on the southeast and the property of now or formerly The City of Rochester (T.A. #121.25-2-39.2) on the northwest; thence
- 4) South 21° 19' 58" West, along the last mentioned division line a distance of 73.96 feet to the Point or Place of Beginning.

Hereby intending to describe a parcel of land containing 152.43 square feet, more or less, ~~all as shown as parcel P3 on a map entitled "Map of Fee Acquisition - East Broad Street - Broadway Street Intersection", prepared by Fisher Associates and dated July 07, 2010.~~

**LEGAL DESCRIPTION OF PROPOSED
LANDS TO BE DEDICATED AS BROADWAY
PART OF 68 BROADWAY ~~STREET~~
T.A. #121.25-2-37.2**

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe and State of New York being known and described as part of lots 35 & 36 of the Triangular Tract, also now or formerly consisting of existing Tax Parcels No. 121.25-02-37.2 and more particularly bounded and described as follows: Beginning at a point in the northerly ROW line of East Broad Street (ROW Varies) at its intersection with division line between the property of now or formerly The City of Rochester (T.A. #121.25-2-38.2) on the southwest and the property of now or formerly The City of Rochester (T.A. #121.25-2-37.2) on the northeast; said intersection being the Point or Place of Beginning; thence

- 1) North 68° 42' 17" West, along the last mentioned division line a distance of 37.86 feet to a point; thence
- 2) North 21° 20' 12" East, continuing along the last mentioned division line a distance of 26.42 feet to a point of curvature; thence
- 3) Southerly along a curve to the right having a radius of 382.74 feet, a delta angle of 08°44'04", a curve length of 58.35 feet, a chord of N 40° 01' 43" W, and a chord length of 49.47 feet; thence

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- 4) South 85°31'49" West, along the northerly ROW line of East Broad Street, a distance of 6.17 feet to the Point or Place of Beginning.

Hereby intending to describe a parcel of land containing 650.6 square feet, more or less.

**LEGAL DESCRIPTION OF PROPOSED
LANDS TO BE DEDICATED AS BROADWAY
PART OF 74 BROADWAY STREET
T.A. #121.25-2-38.2**

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe and State of New York being known and described as part of lots 35 & 36 of the Triangular Tract, also now or formerly consisting of existing Tax Parcels No. 121.25-02-38.2 and more particularly bounded and described as follows:

Beginning at a point in the northerly ROW line of East Broad Street (ROW Varies) at its intersection with division line between the property of now or formerly The City of Rochester (T.A. #121.25-2-38.2) on the southwest and the property of now or formerly The City of Rochester (T.A. #121.25-2-37.2) on the northeast; said intersection being the Point or Place of Beginning; thence

- 1) South 85°30'35" West, along the northerly ROW line of East Broad Street, a distance of 64.47 feet to a point of curvature of said parcel of land formerly dedicated for highway purposes in City Ordinance 1976-193; thence
- 2) Northerly on a curve to the right, having a radius of 19.00 feet through a central angle of 112° 39' 42", a distance of 37.36 feet to a point of tangency; thence,
- 3) North 18° 09' 45" East, along the easterly ROW line of Broadway Street, a distance of 37.17 feet to a point on the division line between the property of now or formerly The City of Rochester (T.A. #121.25-2-38.2) on the southeast and the property of now or formerly The City of Rochester (T.A.#121.25-2-39.2) on the northwest; thence
- 4) North 21° 19' 58" East along the last mentioned division line a distance of 64.77 feet to a point of curvature; thence
- 5) Southerly along a curve to the left having a radius of 107.82 feet, a delta angle of 27°23' 37", a curve length of 51.55 feet, a chord of N08°33' 29"E, and a chord length of 51.06 feet to a point of compound curvature; thence
- 6) Southerly along a curve to the left having a radius of 93.74 feet, a delta angle of 18°52'32", a curve length of 30.88 feet, a chord of N30°03'53"W, and a chord length of 30.74 feet to a point; thence
- 7) South 21° 20' 12" West, along the last mentioned division line a distance of 26.42 feet to a point; thence

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- 8) South 68° 42' 17" East, continuing along the last mentioned division line a distance of 37.86 feet to the Point or Place of Beginning.

Hereby intending to describe a parcel of land containing 3993.06 square feet more or less.

Section 3. This ordinance shall take effect immediately.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-67

Re: Strong Neighborhood of Play Pavement
Width Changes

Transmitted herewith for your approval is legislation authorizing changes in pavement width at four locations to accommodate new curbs cuts as part of the Strong Neighborhood of Play development project:

1. For Howell Street (Figure 1), narrow Howell Street by 8 feet, from 44 feet to 36 feet, beginning 227 feet west of the centerline of South Union Street and ending 258 feet west of the centerline of South Union Street, to create a new private drive (A Street). Road narrowing results in the loss of 31 feet of existing "2 Hour Parking" from a total of 143 feet of available parking to a new total of 112 feet.
2. For South Union Street (Figure 2), narrow South Union Street by 8 feet, from 45 feet to 37 feet, beginning 423 feet northeast of the centerline of Howell Street and ending 472 feet northeast of the centerline of Howell Street, to create a new future dedicated right-of-way for Adventure Place. Introduction of the new Adventure Place intersection in conjunction with the Savannah Street intersection modification (item 3 below) results in a net loss of 6 feet of existing "unrestricted parking" from a total of 225 feet of available parking to a new total of 219 feet.
3. For South Union Street (Figure 3), widen South Union Street by 8 feet, from 43 feet to 51 feet, beginning 67 feet southwest of the centerline of Savannah Street and ending 110 feet southwest of the centerline of Savannah Street, to modify the existing Savannah Street intersection to a driveway section. Modification of the Savannah Street intersection in conjunction with the introduction of Adventure Place (item 2 above) results in a net loss of 6 feet of existing "unrestricted parking" from a total of 225 feet of available parking to a new total of 219 feet.
4. For East Broad Street (Figure 4), narrow East Broad Street by 8 feet, from 55 feet to 47 feet, beginning 114 feet west of the centerline of south Union Street and ending 160 feet west of the centerline of South Union Street, to create a new future private drive. Road narrowing results in the loss of 46 feet of existing "2 Hour Parking" from a total of 138 feet of available parking to a new total of 92 feet.

In addition to pavement width changes, this project includes installation of new curbs, and sidewalks. No additional right-of-way is required to accommodate the changes in pavement width.

The pavement width changes were presented for endorsement at the February 5, 2019 Traffic Control Board meeting.

Pursuant to Chapter 48 of the Rochester City Code and the New York State Environmental Quality Review Act (SEQRA), this project was classified as a Type 1 Action because it was within the development parameters of the Inner Loop East Reconstruction Project. A negative declaration for the Inner Loop East Reconstruction Project, including future development, was issued December 23, 2013.

The Strong Neighborhood of Play project includes lands that were not within the geographic parameters of the Inner Loop East Reconstruction Project. A supplemental environmental review was conducted in 2017 and a negative declaration was issued August 15, 2017.

Construction will begin spring 2019 with completion in fall of 2019. A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-40

Ordinance No. 2019-67
(Int. No. 72)

Authorizing pavement width changes related to the Strong Neighborhood of Play development project

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

Section 1. Council hereby approves the following pavement width changes as part of the Strong Neighborhood of Play development project (the "Project"):

- A. On Howell Street, narrow the pavement width by 8 feet, from 44 feet to 36 feet, beginning 227 feet west of the centerline of South Union Street and ending 258 feet west of the centerline of South Union Street;
- B. On South Union Street:
 - 1. Narrow the pavement width by 8 feet, from 45 feet to 37 feet, beginning 423 feet northeast of the centerline of Howell Street and ending 472 feet northeast of the centerline of Howell Street; and

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2. Widen South Union Street by 8 feet, from 43 feet to 51 feet, beginning 67 feet southwest of the centerline of Savannah Street and ending 110 feet southwest of the centerline of Savannah Street; and

C. On East Broad Street, narrow the pavement width by 8 feet, from 55 feet to 47 feet, beginning 114 feet west of the centerline of south Union Street and ending 160 feet west of the centerline of South Union Street.

Section 2. The changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Lightfoot
March 19, 2019

To the Council:

The **PUBLIC SAFETY YOUTH & RECERATION** recommends for **ADOPTION** the following entitled legislation:

- | | |
|-------------|---|
| Int. No. 73 | Authorizing an agreement with Rochester Youth Sports Foundation for the Gus Macker 3-on-3 tournament |
| Int. No. 74 | Authorizing an agreement for the development of web-based mobile applications for the Department of Recreation and Youth Services |
| Int. No. 75 | Authorizing an amendatory agreement with Monroe County for traffic signal preemption maintenance |
| Int. No. 76 | Authorizing an amendatory agreement for Uniform Relocation Act compliance services relating to the Campbell Street R-Center Gateway Project |
| Int. No. 77 | Authorizing a grant agreement with the New York State Council on the Arts |

Respectfully submitted,

Willie J. Lightfoot
Mitch Gruber
Jacklyn Ortiz

March 19, 2019

Adam C. McFadden
Loretta C. Scott
PUBLIC SAFETY YOUTH & RECREATION COMMITTEE

Received filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-68
Re: Agreement – Gus Macker 3-on-3/
Rochester Youth Sports Foundation

Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with Rochester Youth Sports Foundation (president: Anthony Jordan) to produce the third annual Gus Macker 3-on-3 basketball tournament in Downtown Rochester. The cost of this agreement will be financed from the 2018-19 Budget of the Bureau of Communications.

The Gus Macker 3-on-3 basketball tournament is a national tournament that began in 1987. The Tournament is designed so anyone can play: men, women, adults, and youth, experienced, or not experienced. Since 1987, 972 tournaments have been played in 75 cities across the United States, by more than 2.2 million players, and more than 23 million spectators have enjoyed watching this driveway-style, outdoor basketball tournament.

This is the third year the Gus Macker tournament will be held in Rochester. It will take place June 29 – 30, 2019 at the Riverside Festival Site (the parking lot on the southeast corner of Court and Exchange streets) and the adjacent block of Court Street. Last year, the tournament drew more than 170 teams. In 2019, organizers are anticipating more than 250 teams, 1,000 players and 4,000 spectators. The event features more than just basketball- it produces family fun in a festival atmosphere with a youth entertainment stage and food vendors. The event will also host a community health and wellness tent with vendors and organizations that provide important services to families.

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

A similar agreement for the 2018 event was executed via ordinance 2018-79 in March 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-41

Ordinance No. 2019-68
(Int. No. 73)

Authorizing an agreement with Rochester Youth Sports Foundation for the Gus Macker 3-on-3 tournament

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$50,000 with the Rochester Youth Sports Foundation to support the 2019 Gus Macker 3-on-3 basketball tournament (Tournament) in downtown Rochester. Said amount, or so much thereof as may be necessary, shall be funded from the 2018-19 Budget of the Bureau of Communications. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-69
Re: Agreement – Narwhal Systems, LLC

Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation authorizing maximum compensation of \$25,080 for an agreement with Narwhal Systems, LLC (Joseph Shearer and Gregory Shear, partners, Rochester, NY) for development of web-based mobile applications for Department of Recreation and Youth Services offerings. The term of the agreement will be for one year and the cost of the agreement will be funded from the 2018-19 Budget of the Department of Recreation and Youth Services (DRYS).

Under this agreement, Narwhal Systems, LLC will develop interactive mobile Shopper and Vendor Apps for the Public Market which will include a map of the Market, identify occupied stalls, and provide vendor profiles along with their schedules and product offerings. The Consultant will also develop a mobile app for the R-Centers which will include the R-Centers locations, hours of operation, and amenities, and upcoming events and program offerings. It is anticipated that the apps will be available to the public this summer.

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

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Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-42

Ordinance No. 2019-69
(Int. No. 74)

Authorizing an agreement for the development of web-based mobile applications for the Department of Recreation and Youth 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 Narwhal Systems, LLC in the maximum amount of \$25,080 to develop web-based mobile applications for Department of Recreation and Youth Services offerings. Said amount shall be funded from the 2018-19 Budget of the Department of Recreation and Youth Services and the term shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-70
Re: Agreement Amendment – Monroe County
Pre-Emption Maintenance

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Monroe County for annual maintenance and repair of traffic signal pre-emption equipment. The original agreement (Ordinance No. 2011-172) with \$18,600 as maximum annual compensation, and amended by Ordinance No. 2012-377 increased the annual compensation by \$2,200 for a total of \$20,800. This amendment will increase the authorized maximum annual amount by \$5,200, for a total of \$26,000 for the remainder of the agreement. The additional cost will be funded from the 2018-19 and subsequent budgets of the Fire Department, upon approval.

The pre-emption system of the Fire Department enables emergency vehicles to change traffic signals in order to clear an intersection when necessary. This reduces response times and increases safety for vehicles approaching the intersection. This equipment, purchased by the Rochester Fire Department is

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installed in 367 intersections throughout the city. The equipment is no longer under warranty and through this contract, the County performs routine maintenance of the equipment which is installed in County-owned traffic signals.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-70
(Int. No. 75)

Authorizing an amendatory agreement with Monroe County for traffic signal pre-emption maintenance

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 Monroe County for the maintenance and repair of traffic signal pre-emption equipment. The amendment shall increase the maximum annual compensation of the original agreement, which was authorized by Ordinance No. 2011-172 and amended by Ordinance No. 2012-377, by \$5,200 to a total annual compensation of \$26,000. The amendatory amount for the first year shall be funded from the 2018-19 Budget of the Fire Department and the annual amount for each subsequent year shall be funded by subsequent years' Budgets of the Fire Department contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-71
Re: Amendatory Agreement - R.K. Hite & Co.,
Inc. Uniform Relocation Act Compliance
Services

Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation amending an agreement with R.K. Hite & Co., Inc. (Richard Hite, Avon, NY) for services needed to comply with the Federal Uniform Relocation Act (URA). The City is required to comply with the URA when it seeks to acquire real property for redevelopment projects that may be assisted with Federal and/or State funds.

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The present agreement as authorized in July 2017 (Ordinance No. 2017-242) provides for maximum compensation in the amount of \$22,500. This amendment will extend the term of the agreement until December 31, 2019 and add \$7,000 from the 2018-19 Budget of the Department of Recreation and Youth Services, for a total of \$29,500.

The Consultant's URA compliance services are required for the Campbell Street R-Center Gateway Improvements Project. Acquisition of three properties adjacent to the R-Center was authorized in July 2018 (Ordinance No. 2018-249) in order to expand the park, provide enhanced access to and from the surrounding neighborhood, and improve the site's safety and security. One property is currently occupied, necessitating relocation services for the tenant. Construction is anticipated to begin in the late Spring 2019 with completion anticipated in Fall 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-71
(Int. No. 76)

Authorizing an amendatory agreement for Uniform Relocation Act compliance services relating to the Campbell Street R-Center Gateway Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with R.K. Hite & Co., Inc. for compliance with the federal Uniform Relocation Act while acquiring real property for the Campbell Street R-Center Gateway Project. The original agreement authorized by Ordinance No. 2017-242 shall be amended to increase the maximum compensation by \$7,000 to a new total of \$29,500 and shall extend the term of the agreement to December 31, 2019. The increase in compensation shall be funded from 2018-19 Budget of the Department of Recreation and Youth Services.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

March 19, 2019

Ordinance No. 2019-72
Re: Grant Agreement – New York State Council
on the Arts

Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation:

1. Authorizing an agreement with the New York State Council on the Arts (NYSCA) for the receipt and use of a one-year Regional Economic Development Program grant for \$49,500 for the Roc Paint Division Concrete to Canvas mural arts project;
2. Amending the 2018-19 Budget of the Department of Recreation and Youth Services (DRYS) by \$18,700 for the initiative. The remaining \$30,800 will be anticipated and included in the 2019-20 Budget of DRYS, contingent upon approval.

The Concrete to Canvas project is as an extension of DRYS successful Roc Paint Division mural arts program, which currently employs ten youth artists and two part-time Public Art Coordinators to design and install murals in R-Centers and city Libraries. With the NYSCA funding, DRYS will expand the program to employ an additional four youth artists and one Public Art Coordinator. The Concrete to Canvas project will focus on beautifying City parks with playful and colorful mural art installations. Utilizing a “Run, Jump, Play” theme and emphasizing community paint days, the Concrete to Canvas mural arts project aims to reintroduce active play and reinvigorate community engagement in targeted parks throughout Rochester..

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-72
(Int. No. 77)

Authorizing a grant agreement with the New York State Council on the Arts

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

Section 1. The Mayor is hereby authorized to enter into a grant agreement with the New York State Council on the Arts for the receipt and use of a one-year Regional Economic Development Program grant in the amount of \$49,500 for the Roc Paint Division Concrete to Canvas mural arts project.

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

Section 3. Ordinance No. 2018-157, the 2018-19 Budget of the City of Rochester, is hereby amended by increasing the revenue estimates and appropriations to the Budget of the Department of Recreation and Youth Services by \$18,700 to reflect the receipt of a portion of the grant funds authorized herein.

Section 4. This ordinance shall take effect immediately.

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Passed unanimously.

By Councilmember Spaul
March 19, 2019

To the Council:

The **ARTS AND CULTURE COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 78 Authorizing an agreement for the 2019 Rochester International Jazz Festival

Int. No. 79 Authorizing an agreement for the 2019 Rochester Twilight Criterium

Respectfully submitted,

Elaine M. Spaul
Molly Clifford
Michael A. Patterson
Adam C. McFadden
Loretta C. Scott
ARTS AND CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-73
Re: Agreement - Rochester International Jazz
Festival

Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation establishing \$243,000 as maximum compensation for an agreement with Rochester International Jazz Festival, LLC to designate the City of Rochester as the lead government sponsor of the 2019 Rochester International Jazz Festival (RIJF). The cost of this agreement will be funded from the 2018-19 Budget of the Bureau of Communications. The term of the agreement is one year.

The 18th annual festival will be held June 21- June 29 and will include more than 347 shows at 19 diverse indoor and outdoor city venues within walking distance of each other in the East End Cultural District. The City's contribution to the festival will underwrite free, outdoor events, including 14 headliner shows

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that take place on the weekends during the festival at the East Avenue and Chestnut Street stage, and more than 35 regional and local shows that take place daily on the Jazz Street (Gibbs Street) stage. The Jazz Street stage includes performances by local high schools and continuing education music programs. The festival also provides an additional 30 free performances, jam sessions, and children's workshops in both indoor and outdoor venues throughout the course of the nine days. These events are designed to attract approximately 15,000-25,000 visitors each night of the festival.

The RIJF is one of the nation's most popular and respected music festivals. The festival's growing recognition throughout the world further enhances Rochester's reputation as a major music destination. In 2002, attendance for the festival was 15,000. In the last few years, attendance estimates have been close to 200,000.

The Rochester International Jazz Festival, LLC consistently delivers a multi-dimensional festival with something for everyone. From legendary performers and familiar favorites to rising stars and new discoveries, the festival navigates all genres of creative improvised music from all corners of the world.

City Council approved a similar agreement for the 2018 festival in December 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-43

Ordinance No. 2019-73
(Int. No. 78)

Authorizing an agreement for the 2019 Rochester International Jazz Festival

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the maximum amount of \$243,000 with Rochester International Jazz Festival LLC to designate the City as the lead government sponsor for the 2019 Rochester International Jazz Festival. Said amount shall be funded from the 2018-19 Budget of the Bureau of Communications. The agreement shall have a term of one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-74
Re: Agreement - Full Moon Vista Productions,
Inc., Rochester Twilight Criterium

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Council Priority: Creating and Sustaining a Culture
of Vibrancy

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with Full Moon Vista Productions, Inc. (Principal: Scott Page), Rochester, New York, to support the 2019 Rochester Twilight Criterium and related competitive bicycling activities. The cost of the agreement will be funded from the 2018-19 Budget of the Bureau of Communications and the term will be for one year.

The 2019 Twilight Criterium will take place in downtown Rochester on Saturday, May 11. This event has been approved by USA Cycling and is part of the U.S. National Criterium Calendar for 2019. The Rochester Twilight Criterium is one of only 11 events in the U.S. with competition at this level. Hundreds of athletes from all over the world will be in Rochester the week of the event with most staying in downtown hotels. Professional athletes from around the globe attend the event, including Olympians and world and national champions from Argentina, Australia, Canada, Germany, Italy, Ireland, France, New Zealand, Russia, Uruguay, England and the United States. Unlike many events in professional sports, this one provides an equal prize purse to both the men's and women's winners.

Races are free and open to the public and will take place throughout the afternoon and night. Last year, organizers projected that more than 25,000 spectators attended the event.

New this year, in an attempt to draw even more people to the event, the City will utilize a portion of the Criterium's course in the hours before the races start to host "Play the Riverway" in partnership with Healthi Kids Coalition of Common Ground Health. Play the Riverway will be an event modeled after a play streets or open streets concept where the public can play games, rollerblade, skateboard, cycle, participate in temporary sidewalk art projects, and more. In addition to the active play offerings, the City will bring its popular "Little Kids and Big Rigs" event to a block of the closed course as well, giving families a chance to explore the City fleet in the heart of Downtown before they watch world class cycling. All of the "Play the Riverway" events prior to the Criterium will be free.

City Council approved a similar agreement for the May 208 event in December 2017 via Ordinance No. 2017-372.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-44

Ordinance No. 2019-74
(Int. No. 79)

Authorizing an agreement for the 2019 Rochester Twilight Criterium

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 Full Moon Vista Productions, Inc. to support the 2019 Rochester Twilight Criterium and related competitive bicycling

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activities. The maximum compensation for the agreement shall be \$30,000, which shall be funded from the 2018-19 Budget of the Bureau of Communications. The agreement shall have a term of one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:08 p.m.

HAZEL L. WASHINGTON
City Clerk