

**PROCEEDINGS
OF THE
COUNCIL
OF THE
CITY OF ROCHESTER
2001**

ROCHESTER, NEW YORK,

Officials 2001

William A. Johnson, Jr.
Mayor

Jeffrey T. Carlson
Deputy Mayor

Robert J. Meyer
Assistant to the Mayor

William R. Faucette, Jr.
Chief of Staff

Richard W. Hannon⁽¹⁾
Budget Director
Acting Director of Human Resource Management

William J. Ansbro⁽²⁾
Acting Budget Director

Bridgette D. Burch
Director of Communications

Thomas R. Argust
Commissioner of Community Development

Linda S. Kingsley
Corporation Counsel

R. Fashun Ku
Commissioner of Economic Development

John M. Merklinger
Director of Emergency Communications

Edward J. Doherty
Commissioner of Environmental Services

Vincent J. Carfagna
Director of Finance

Floyd A. Madison
Fire Chief

M. Reneé Baker⁽³⁾
Director of Human Resource Management

Richard Panz
Library Director

Terrance Borshoff
Neighborhood Empowerment Team Director

Loretta C. Scott
Commissioner of Parks, Recreation & Human Services

Robert J. Duffy
Police Chief

(1) Budget Director through July 1, 2001. Acting Director of Human Resource Management as of July 2, 2001.
(2) Acting Budget Director as of July 2, 2001.

Members of Council

2001

Members

Residence

Lois J. Giess	15 East Boulevard, 14610
President, Councilmember, East District	
Gladys Santiago	1850 Culver Road, 14609
Vice President, Councilmember-at-Large	
Brian F. Curran.....	56 Elmwood Avenue, 14611
Councilmember-at-Large	
Benjamin L. Douglas	135 Rutledge Drive, 14621
Councilmember, Northeast District	
Nancy K. Griswold	90 Browncroft Boulevard, 14609
Councilmember-at-Large	
Tim O. Mains	31 Menlo Place, 14620
Councilmember-at-Large	
Wade S. Norwood	74 Appleton Street, 14611
Councilmember-at-Large	
Robert J. Stevenson.....	77 Albemarle Street, 14613
Councilmember, Northwest District	
Tony M. Thompson.....	105 Depew Street, 14611
Councilmember, South District	

City Clerk's Office 2001

Carolee A. Conklin..... City Clerk

Daniel B. Karin Deputy City Clerk

Birth A. Wright..... Legislative Assistant

Rebecca M. McNamara Legislative Assistant

Geraldine Agnello Administrative Assistant

Bernard J. Christopher Legislative Aide Part-time

Candice A. Bianchi Clerk III

Bilinda M. Escalante⁽¹⁾ Clerk III w/Typing-Bilingual

Betsy P. Indivino Receptionist

Carol A. Supernault..... Legislative Clerk Part-time

Laila M. Velazquez⁽²⁾ Clerk III w/Typing-Bilingual

(1) Until April 3, 2001.

(2) Hired May 7, 2001.

Standing Committees of The City Council 2001

Parks, Public Works, and the Environment
Stevenson, Curran, Thompson

Public Safety/Public Services
Douglas, Stevenson, Thompson

Housing and Community Development
Norwood, Douglas, Griswold

Jobs, Finance, and Governance
Mains, Curran, Griswold

The first Councilmember named after
the designation of the Committee is
Chair thereof.

Regular Meetings of the Council - Regular meetings shall be held at 8:00 p.m. in the Council Chamber, Room 302-A, City Hall.

Special Meetings - Special meetings may be called at any time by the Mayor or President of Council or any three Councilmembers.

REGULAR MEETING
January 16, 2001

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Stevenson, Thompson - 8.

Absent - Vice President Santiago - 1.

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.

Recognition Ceremony

Retirement:

Nancy Burton, Department of Environmental Services
Marlene Davidson, Budget Bureau
Allen Hopkins, Police Department
Ruth Miller, Department of Community Development
Linda Murray, Department of Parks, Recreation and Human Services
Jeanette Pavia, Mayor's Office
Geraldine Piazza, Law Department

APPROVAL OF THE MINUTES
By Councilmember Norwood

RESOLVED, that the minutes of the Regular Meeting of December 19, 2000, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Request For Proposal Sale - March 5, 2001.
3661-7

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Authorizing An Increase In The Pavement Width Of Dewey Avenue For A Recessed Zone At The DePaul Adult Care Facility South Of Emerson Street
Int. No. 2 No speakers.

Authorizing Changes In The Pavement Width Of Primrose Street And Flower City Park As A Part Of The Primrose Street Improvement Project Int. No. 3 No speakers.

Authorizing Changes In The Pavement Width Of Culver Road And Empire Boulevard As A Part Of The Clifford Avenue Improvement Project Int. No. 4 No speakers.

Approving The Dedication Of Parcels For The Troup Street, Edgewood And Lamberton Park Improvement Project Int. No. 7*

*Public Hearing for Intro. No. 7 was adjourned to allow for legal notice to neighbors.

Authorizing Changes In The Pavement Width Of River Street, Latta Road And Lighthouse Street As A

Part Of The River Street Improvement Project
Int. No. 37 No speakers.

Authorizing Amendatory 1995-96 And 1996-97 Community Development Program Plans And 1995-96 And 1999-2000 City Development Funds And An Agreement For The Hallman Development Project And Amending Ordinance No. 96-229 Int. No. 22 No speakers.

Renaming Bronson Avenue As Dr. Samuel McCree Way Int. No. 23 One speaker: Reverend Richard Douglass

INTRODUCTION OF AND ACTION UPON LOCAL
LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-1
Re: Agreement - Rural Metro Medical Services, Emergency Ambulance Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Rural Metro Medical Services, 177 University Avenue, for the continued provision of emergency ambulance service requested by the City.

A municipality is authorized to provide ambulance service under section 122-b of the NYS General Municipal Law. Historically, the City has provided such service through agreements with private companies.

The current agreement, with Rural Metro, was approved by the City Council on August 20, 1996. An amendatory agreement, extending the term through January 31, 2001, was approved by the Council on October 17, 2000.

In anticipation of expiration of the agreement, a request for proposal has been prepared and is currently being reviewed by Fitch & Associates, as requested by the Council. The proposed additional extension will provide adequate time for this review, solicitation and evaluation of any proposals submitted, and consideration by Council of a recommendation.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-1
(Int. No. 41)

**Authorizing An Amendatory Agreement With
Rural Metro Medical Services For The Continued
Provision Of Emergency Ambulance Services**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Rural Metro Medical Services for the continued provision of emergency ambulance services as requested by the City, or when the City receives a request for ambulance services from a third person, and standby services at emergency scenes and special events, through April 30, 2001.

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.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson
January 16, 2001

To the Council:

The Parks, Public Works and the Environment committee recommends for adoption the following entitled legislation:

Int. No. 1 - Establishing \$20,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Resident Project Inspection Services For The Hemlock Gatehouse Tunnel Access Rehabilitation Project And Amending The 2000-01 Budget

Int. No. 27 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$120,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing Environmental Clean-Up Of 14-60 Charlotte Street Within The City

Int. No. 33 - Establishing \$144,000 As Maximum Compensation For A Professional Services Agreement For Design Services For The Elmwood Avenue Bridge Rehabilitation Project

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 2 - Authorizing An Increase In The Pavement Width Of Dewey Avenue For A Recessed Zone At The DePaul Adult Care Facility South Of Emerson Street

Int. No. 3 - Authorizing Changes In The Pavement Width Of Primrose Street And Flower City Park As A Part Of The Primrose Street Improvement Project

Int. No. 4 - Authorizing Changes In The Pavement Width Of Culver Road And Empire Boulevard As A Part Of The Clifford Avenue Improvement Project

Int. No. 5 - Approving The Acquisition Of Easements For The Clifford Avenue Public Improvement Project By Negotiation Or Condemnation

Int. No. 6 - Approving The Acquisition Of Parcels Or Permanent Easements For The Troup Street, Edgewood And Lamberton Park Improvement Project By Negotiation Or Condemnation

Int. No. 7 - Approving The Dedication Of Parcels For The Troup Street, Edgewood And Lamberton Park Improvement Project

Int. No. 36 - Establishing Maximum Compensation For Agreements For The River Street Improvement Project, Appropriating Funds And Amending Ordinance No. 99-245

Int. No. 37 - Authorizing Changes In The Pavement Width Of River Street, Latta Road And Lighthouse Street As A Part Of The River Street Improvement Project

Respectfully submitted,

Robert J. Stevenson
Brian F. Curran
Tony M. Thompson
Gladys Santiago (Did not vote on Introductory No. 1 and Introductory No. 2.)
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-2
Re: Hemlock Gatehouse Tunnel Access
Rehabilitation Project

Transmitted herewith for your approval is legislation relating to the Hemlock Gatehouse Tunnel Access Rehabilitation Project. This legislation will authorize:

1. The appropriation of undesignated retained earnings of the Water Fund totaling \$315,000 to finance the costs of construction and inspection of the project;
2. An increase in the Cash Capital allocation of the Department of Environmental Services (Water Fund) to reflect this appropriation; and
3. An amendatory agreement with Bergmann Associates, 28 East Main Street, for resident inspection services at a cost of \$20,000.

The gatehouse, which is located at the north end of Hemlock Lake within the Hemlock Filtration Plant, was built nearly 100 years ago. The substructure of the gatehouse serves as a junction chamber for both the Hemlock Lake intake pipe and the Hemlock Tunnel and provides access for inspection and maintenance of these facilities.

The rehabilitation project will include the following components:

1. Demolition of the gatehouse superstructure, which was vacated when the filtration plant was constructed, and rehabilitation of its substructure, resulting in a vault that will be used to continue to provide access to the intake pipe and tunnel and will also be used to support a relocated carbon dioxide storage tank.
2. Demolition of the former chlorine storage building and the outdoor overhead crane which connects the storage building with the gatehouse.
3. Construction of a new storage building behind the filtration plant.
4. Installation of an overhead crane in the raw water pump station, which is adjacent to the gatehouse, to facilitate maintenance and repair of four large pumps that are presently serviced with a temporary hoist.

Bids for construction of the improvements were received on November 27, 2000. The work will be performed by Crane-Hogan Structural Systems, Inc., at a cost of \$263,465. An additional \$31,535 will be allocated for contingencies and materials testing.

Construction is expected to begin in February and be completed by July 2001. Bergmann is recommended to provide inspection services because of its familiarity with the project, which it designed

under an agreement authorized by the City Council on July 22, 1997.

It is expected that the Monroe County Water Authority will reimburse the City for 54% of the project costs, in accordance with the agreement authorized by the City Council on April 25, 1978.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-1

Ordinance No. 2001-2
(Int. No. 1)

Establishing \$20,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Resident Project Inspection Services For The Hemlock Gatehouse Tunnel Access Rehabilitation Project And Amending The 2000-01 Budget

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Bergmann Associates for resident project inspection services for the Hemlock Gatehouse Tunnel Access Rehabilitation Project. Said amount shall be funded from the 2000-01 Cash Capital Allocation.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$315,000, which amount is hereby appropriated from the retained earnings of the Water Fund to fund the Hemlock Gatehouse Tunnel Access Rehabilitation Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-3
Re: Bond - Environmental Remediation

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$120,000 and appropriating the proceeds thereof to finance the environmental remediation of seven properties on Charlotte Street.

The properties are intended to be used for future residential development. Their acquisition by the City was authorized by the City Council on April 13, 1999.

Prior to acquisition, Phase I environmental audits had been performed on all of the properties, except 14-16 Charlotte Street, which had been acquired in 1996 through tax foreclosure. Phase II audits had been performed on three properties that were acquired through donation.

The latter audits indicated that there was petroleum contamination on these properties. It was suspected

that this contamination extended to the other properties, which were acquired through condemnation. The estimated cost of remediation of all the properties was \$165,000.

Phase II audits were conducted on the condemned properties after they were acquired. The audits confirmed the existence of contamination.

Day Environmental, Inc. performed the audits and has prepared a clean-up plan that is currently being reviewed by the NYS Department of Environmental Conservation and the Monroe County Department of Health. The plan provides for:

1. Removal and disposal of approximately 1,100 tons of contaminated soil;
2. Recovery and removal of any petroleum floating on the groundwater;
3. Collection of confirmatory soil samples;
4. Post clean-up monitoring;
5. Preparation of a health risk assessment; and
6. To assist future developers, preparation of long-term soil management and monitoring plans and the design of any required engineering controls.

Approval of the clean-up plan by NYS DEC and MC DOH is expected during the winter of 2001. The clean-up is expected to be completed within three months thereafter.

The conceptual development plan for the properties provides for two- or three-story condominium or apartment structures over grade level parking. Proposals for such development will be solicited by the Department of Community Development.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-2

Ordinance No. 2001-3
(Int. No. 27)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$120,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing Environmental Clean-Up Of 14-60 Charlotte Street Within The City

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of planning and implementing clean-up of certain hazardous substances at 14-60 Charlotte Street which is located within the City (the "Project"). The estimated maximum cost of said specific object or purpose described herein, including preliminary costs and costs incidental thereto and the financing thereof, is currently estimated to be approximately \$120,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$120,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient

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 \$120,000 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 \$120,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.6-e of the Law, is twenty (20) years.

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

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

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

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such

validity, is commenced within twenty (20) days after the date of such publication, or

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Stevenson, Thompson - 8.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-4
Re: Agreement - Goodkind & O'Dea,
Elmwood Avenue Bridge Rehabilitation
Project

Transmitted herewith for your approval is legislation authorizing an agreement with Goodkind & O'Dea, Inc., 183 E. Main Street, for preliminary engineering and design services relating to the Elmwood Avenue Bridge Rehabilitation Project. The maximum cost of the agreement will be \$144,000, which will be financed from the 2000-01 Cash Capital allocation of the Department of Environmental Services and previously appropriated state and federal reimbursements.

The project involves the replacement of the structural joint systems; curb repairs and sidewalk modifications; installation of pedestrian lighting; drainage improvements; and painting of the structural steel. Although the costs of the project will be financed primarily by the state and federal governments, the City is administering the project pursuant to an agreement with the NYS Department of Transportation authorized by the City Council on January 18, 2000.

Proposals for the provision of preliminary engineering and design services for the project were solicited and received from three organizations designated as qualified by NYS DOT. Goodkind & O'Dea is recommended because of the qualifications of the personnel to be assigned to the project and its ability to provide the required services within the time period specified by the City.

Design of the project is expected to be completed in the winter of 2001-02. Construction is expected to begin in the spring of 2002 and be completed by the fall.

The estimated cost of design and construction is \$1,270,000, which will be financed as follows:

	Federal	State	City	Total
Preliminary engineering and design	\$ 116,400	\$ 20,825	\$ 6,775	\$ 144,000
Construction, inspection and contingencies				

	896,000	166,500	56,000	1,118,500
Administration				
	3,600	3,675	225	7,500
Total	\$1,016,000	\$191,000	\$63,000	\$1,270,000

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-4
(Int. No. 33)

Establishing \$144,000 As Maximum Compensation For A Professional Services Agreement For Design Services For The Elmwood Avenue Bridge Rehabilitation Project

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

Section 1. The sum of \$144,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Goodkind & O'Dea, Inc. for design services related to the Elmwood Avenue Bridge Rehabilitation Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Of said amount, \$20,825 shall be funded from the New York State funds appropriated in Ordinance No. 2000-9, \$116,400 shall be funded from the Federal funds appropriated in Ordinance No. 2000-9, and \$6,775 shall be funded from the 2000-01 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-5 and
Ordinance No. 2001-6
Re: Pavement Width Changes

Transmitted herewith for your approval is legislation authorizing various changes in pavement width on several streets. These changes include:

1. On Dewey Avenue, an increase of 8', from 28' to 36', from a point 380' south of Emerson Street for a distance of 70' to the south,
2. On Primrose Street
 - a. An increase of 2', from 22' to 24', from Flower City Park to Ridgeway Avenue, and
 - b. An increase of 4', from 24' to 28', on the west side of the street, from Bardin Street to Avis Street.
3. On Flower City Park, a decrease of 8', from 52' to 44', from Primrose Street to a point 80' west of Primrose Street.
4. Reconfiguration of the intersection of Primrose Street and Pullman Avenue, by eliminating the "Y" and converting it to a regular right angle.

The increase in the pavement width on Dewey Avenue was requested by the adjacent property owner, DEPAUL SRO. It will permit the installation of a recessed pick-up/drop-off zone for the residents of the adult care facility that is located on the property.

DePaul will construct the improvements at its expense. Construction is expected to be completed in the spring.

The other changes in pavement width relate to the Primrose Street Improvement Project, which extends from Flower City Park to Pullman Avenue. The project is being designed by the Bureau of Architecture and Engineering Services.

The first increase in pavement width on Primrose Street will provide a consistent street width and improve traffic flow. The second increase will provide a student drop-off/pick-up area for Marshall High School. The decrease on Flower City Park will reduce the length of the crosswalk and improve the safety of students crossing to and from Sacred Heart School.

All of the changes in pavement width will occur within the existing right-of-way. The acquisition of adjacent properties will not be necessary.

Besides the changes in pavement width, the Primrose Street project involves the reconstruction or rehabilitation of the pavement; installation of new water services and hydrants and a new water main between Flower City Park and Ridgeway Avenue; replacement of curbs, catch basins, sidewalks and driveway aprons; relocation of street lights as required by the reconfiguration of the intersection; and landscaping.

Construction of the project is scheduled to be completed during the summer. The estimated cost of construction is \$537,900.

Improvement	Estimated Cost
Street	\$398,200
Water	99,000
Sewer	38,500
Traffic	2,200
Total	\$537,900

This cost will be financed from Cash Capital allocations of the Department of Environmental Services, proceeds of bond issues previously authorized by the City Council and anticipated reimbursements from Monroe County.

A public informational meeting concerning the project was held on November 8, 2000. A copy of the minutes of this meeting is attached.

The Traffic Control Board endorsed the change in pavement width on Dewey Avenue on October 17, 2000. It endorsed the changes relating to the Primrose Street project on November 21.

Public hearings on the changes are required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-3

Ordinance No. 2001-5
(Int. No. 2)

Authorizing An Increase In The Pavement Width Of Dewey Avenue For A Recessed Zone At The DePaul Adult Care Facility South Of Emerson Street

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

Section 1. The Council hereby approves an increase of eight feet (8'), from twenty-eight feet (28') to thirty-six feet (36'), in the pavement width of Dewey Avenue, for a distance of seventy feet (70'), from a point three hundred eighty feet (380') south of Emerson Street to a point four hundred fifty feet (450') south of Emerson Street, in order to provide a recessed pick up/drop off/bus stop zone at the DePaul Adult Care Facility at 435 Dewey Avenue.

Section 2. Such 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.

Ordinance No. 2001-6
(Int. No. 3)

Authorizing Changes In The Pavement Width Of Primrose Street And Flower City Park As A Part Of The Primrose Street Improvement Project

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

Section 1. The Council hereby approves the following changes in the pavement width of Primrose Street as part of the Primrose Street Improvement Project:

- a. An increase of 2 feet, from 22 feet to 24 feet, from Flower City Park to Ridgeway Avenue;
- b. An increase of 4 feet, from 24 feet to 28 feet, from Bardin Street to Avis Street, along the west curb line by Marshall High School.

Section 2. The Council hereby further approves the following changes in the pavement width of Flower City Park as part of the Primrose Street Improvement Project:

- a. A decrease of 8 feet, from 52 feet to 44 feet, from Primrose Street to a point 80 feet west of Primrose Street.

Section 3. The Council hereby further approves the reconfiguration of the Primrose Street and Pullman Avenue intersection, by eliminating the western branch of the existing Y intersection and converting it to a regular right angle intersection.

Section 4. Such changes and additional improvements as a part of the Primrose Street Improvement Project, shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 5. This ordinance shall take effect immediately.
Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-7 and
Ordinance No. 2001-8
Re: Clifford Avenue Improvement Project

Transmitted herewith for your approval is legislation relating to the Clifford Avenue Improvement Project.

This legislation will authorize...

1. The following changes in pavement width:
 - a. An increase of 2' on the east side of Culver Road, from Empire Boulevard to a point 107' to the south,
 - b. A tapering from the latter point to a point 40' to the south on Culver Road, and
 - c. An increase of 4.5', from 40' to 44.5", on the north side of Empire Boulevard, from Deerfield Drive to the city line.
2. The acquisition, by negotiation or condemnation, of five permanent easements.

The project, which extends from N. Goodman Street to the east city line, is part of the Monroe County Arterial Improvement Program. The County's participation in the project is in accordance with the (131k) agreement authorized by the City Council on April 14, 1981.

Under the terms of this agreement, on October 12, 1999, the Council authorized the preparation, by Goodkind & O'Dea, Inc., of an engineering planning report for the project. This report was approved by the Council on June 20, 2000. Based upon this approval, the Council authorized an agreement with Goodkind & O'Dea for design of the project.

The proposed changes in pavement width are intended to provide left turn lanes for northbound traffic on Culver Road and westbound traffic on Empire Boulevard. The changes are in addition to those authorized by the Council on June 20, 2000.

The changes will occur within the public right-of-way. The acquisition of adjacent properties will not be necessary.

However, the acquisition of five permanent easements will be required in the another portion of the project. The easements are necessary for construction of sidewalk ramps at several intersections.

All of the easements are considered de minimis, since they each involve parcels of less than 2,000 square feet. The acquisition prices were established by an independent appraiser, Robert Pogel. The cost of acquisition, including closing costs of not more than \$5,000, will be financed from the 1999-00 Cash Capital allocation of the Department of Environmental Services.

Besides the proposed changes in pavement width, the project will involve rehabilitation of the pavement; installation of new water main connections and hydrants and replacement of non-copper water services; replacement of curbs, driveway aprons, sidewalks and street lights; traffic improvements; and landscaping.

Construction of the project is expected to begin in the spring of 2001 and to be substantially completed in the fall of 2001. The estimated cost of construction, inspection and contingencies is \$3,626,000, which will be financed as follows:

Monroe County	\$2,252,000
City Bonds	
Streets	884,000
Water	490,000
Total	\$3,626,000

Public informational meetings concerning the project were held on April 20, September 7 and November 9. A copy of the minutes of the first meeting was previously submitted to the Council; copies of the minutes of the latter two meetings are attached.

The proposed changes in pavement width were endorsed by the Traffic Control Board on December 5. A public hearing on these changes is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-4

Ordinance No. 2001-7
(Int. No. 4)

Authorizing Changes In The Pavement Width Of Culver Road And Empire Boulevard As A Part Of The Clifford Avenue Improvement Project

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

Section 1. The Council hereby approves the following changes in the pavement width as part of the Clifford Avenue Improvement Project:

- a. On the east side of Culver Road, a 107 foot long widening by 2 feet, beginning at Empire Boulevard and extending southerly, followed by a 40 foot long taper which transitions from that 2 foot widening to meet the existing curb;
- b. On the north side of Empire Boulevard, a widening of 4.5 feet, from 40 feet to 44.5 feet, from Deerfield Drive to the east City line.

Section 2. Such changes and additional improvements as a part of the Clifford Avenue Improvement Project, 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.

Ordinance No. 2001-8
(Int. No. 5)

Approving The Acquisition Of Easements For The Clifford Avenue Public Improvement Project By Negotiation Or Condemnation

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

Section 1. The Council hereby approves the acquisition of permanent easements over the following parcels for municipal purposes for the amounts set forth as a part of the Clifford Avenue Public Improvement Project:

Property Address	Square Footage	Improvement Value	
Reputed Owner	Land Value	Total Acq Value	
1717 Clifford Ave Arthur Lazeroff	290 \$800	\$-0-	\$800
1729 Clifford Ave	135	-0-	

Iglesias DeConcilio DeCristo	375		375
1939 Clifford Ave Agenol & Margarita Rodriguez	6 100	-0-	100
2267 Clifford Ave Robert Petrantoni	13 100	-0-	100
234 Pershing Dr Wendy L. Hayes	20 100	-0-	100
TOTALS:	\$1,475	\$-0-	\$1,475

Section 2. The acquisition costs and necessary closing costs, in an amount not to exceed \$5,000, shall be funded from the 1999-2000 Cash Capital Allocation.

Section 3. In the event that said easements cannot be obtained by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings to obtain said easements.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Introductory No. 6 and
Introductory No. 7
Re: Troup Street/Edgewood Park/Lamberton
Park Improvement Project

Transmitted herewith for your approval is legislation relating to the Troup Street/Edgewood Park/Lamberton Park Improvement Project. This legislation will:

1. Authorize the acquisition, by negotiation or condemnation, of eight parcels and four utility easements; and
2. Amend the Official Map by dedicating eight of the parcels as additional public right-of-way.

The project includes Edgewood Park, Lamberton Park and the portion of Troup Street between Reynolds Street and Lamberton Park. It is being designed by the Bureau of Engineering and Architecture.

The acquisition of the parcels is required for the installation of sidewalk ramps. The utility easements are required for the maintenance of street lights and a fire hydrant.

All of the acquisitions are considered de minimis, since each involves a parcel of less than 2,000 square feet. The acquisition prices were established by an independent appraiser, Robert Pogel. The cost of acquisition, including estimated closing costs of \$7,000, will be financed from the 1999-00 Cash Capital allocation of the Department of Environmental Services.

The project involves milling and resurfacing of the pavement; installation of new water mains, services and hydrants; replacement of curbs, catch basins and sidewalks; installation of new street lights on Edgewood Park; and landscaping. The estimated cost of the project, which is scheduled to be constructed in 2001, is \$810,000.

The Planning Commission will hold an informational meeting on the proposed Official Map amendment on January 8. Its recommendation will be forwarded to the City Council immediately thereafter.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the amendment will not have a significant effect on the environment since it is a Type II action.

A public hearing on the amendment is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Introductory No. 6

APPROVING THE ACQUISITION OF PARCELS OR PERMANENT EASEMENTS FOR THE TROUP STREET, EDGEWOOD AND LAMBERTON PARK IMPROVEMENT PROJECT BY NEGOTIATION OR CONDEMNATION

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

Section 1. The Council hereby approves the acquisition of the following parcels or permanent easements for municipal purposes for the amounts set forth as a part of the Troup Street, Edgewood and Lamberton Park Improvement Project:

Property Address	Land Value	Acq Type
Reputed Owner	Improvement Value	
Square Footage	Total Acq Value	
Pt of 737 W. Main St GF Associates, LLC 212.50	\$ 500 \$200 (planter) \$ 700	Fee
Pt of 737 W. Main St GF Associates, LLC 87.53	200 -0- 200	Utility Easement
Pt of 747 W. Main St GF Associates, LLC 12.50	100 200 (planter) 300	Fee
Pt of 3 Edgewood Pk GF Associates, LLC 25.00	100 -0- 100	Utility Easement
Pt of 4 Edgewood Pk GF Associates, LLC 60.14	100 -0- 100	Fee
Pt of 8 Edgewood Pk Rosa M. Lloyd & Walter H. Lloyd 161.60	150 -0- 150	Fee
Pt of 10 Edgewood Pk Lanny Harring 130.12	100 -0- 100	Fee
Pt of 10 Edgewood Pk Lanny Harring	100 -0-	Utility Easement

24.90	100	
Pt of 14 Edgewood Pk Juanita Manor & Jimmie L. Manor 128.34	100 -0- 100	Fee
Pt of 390 Troup St Lanny Harring 25.00	100 -0- 100	Utility Easement
Pt of 393 Troup St Julian M. Powers 12.50	100 -0- 100	Easement
Pt of 397 Troup St Mary L. Andrews 12.50	100 200 (fence) 300	Easement
TOTALS:	\$1,750 \$600 \$2,350	

Section 2. The acquisition costs and necessary closing costs, in an amount not to exceed \$7,000, shall be funded from the 1999-2000 Cash Capital Allocation.

Section 3. In the event that said parcels or easements cannot be obtained by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings to obtain said parcels or easements.

Section 4. This ordinance shall take effect immediately.

Held in committee.

Introductory No. 7

APPROVING THE DEDICATION OF PARCELS FOR THE TROUP STREET, EDGEWOOD AND LAMBERTON PARK IMPROVEMENT PROJECT

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 dedicating the following parcel to street purposes and adding said parcel to Edgewood Park:

**DESCRIPTION OF LANDS
TO BE ACQUIRED
PART OF 737 WEST MAIN STREET
PART OF SBL # 120.43-02-08**

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 the point of intersection of the southerly line of West Main Street and the easterly line of Edgewood Park;

Thence 1) Easterly along the southerly line of West Main Street a distance of 7.00 feet to a point;

Thence 2) Southwesterly through the lands of GF Associates, LLC a distance of 7.08 feet to a point 2.00 feet east of the easterly

line of Edgewood Park;

- Thence 3) Southerly continuing through the lands of GF Associates, LLC a distance of 95.00 feet more or less to the southerly line of lands owned now or formerly by said GF Associates, LLC;
- Thence 4) Westerly along the southerly line of said GF Associates, LLC a distance of 2.00 feet to the easterly line of Edgewood Park;
- Thence 5) Northerly along the easterly line of Edgewood Park a distance of 100.00 feet to the point or place of beginning.

Being the same premises acquired by GF Associates, LLC by a deed recorded in the Monroe County Clerk's Office on January 4, 2000 and filed in Liber 9260 of deeds at page 463.

Section 2. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the following parcel to street purposes and adding said parcel to Edgewood Park:

DESCRIPTION OF
LANDS TO BE ACQUIRED
PART OF 747 WEST MAIN STREET
PART OF SBL # 120.43-02-07

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 the point of intersection of the southerly line of West Main Street and the westerly line of Edgewood Park;

- Thence 1) Westerly along the southerly line of West Main Street a distance of 5.00 feet to a point;
- Thence 2) Southeasterly through the lands of GF Associates, LLC a distance of 7.06 feet to the westerly line of Edgewood Park to a point 5.00 feet southerly from the southerly line of West Main Street as measured along the westerly line of Edgewood Park;
- Thence 3) Northerly along the westerly line of Edgewood Park a distance of 5.00 feet to the point or place of beginning.

Being the same premises acquired by GF Associates, LLC by a deed recorded in the Monroe County Clerk's Office on January 4, 2000 and filed in Liber 9260 of deeds at page 463.

Section 3. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the following parcel to street purposes and adding said parcel to Edgewood Park:

DESCRIPTION OF
LANDS TO BE ACQUIRED
PART OF 4 EDGEWOOD PARK
PART OF SBL # 120.43-02-41

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 on the easterly line of Edgewood Park and at a point 100.00 feet southerly from the southerly line of West Main Street;

- Thence 1) Easterly and parallel to the southerly line of West Main Street a distance of 2.00 feet;
- Thence 2) Southerly and parallel to the easterly line of Edgewood Park a distance of 23.05 feet to a point of curvature;
- Thence 3) Continuing southerly through the lands of GF Associates, LLC, as per a deed filed in the Monroe County Clerk's Office in Liber 9260 at page 463, and curving to the left with a radius of 27.00 feet and a delta of 14° 54' 41" a distance of 7.03 feet more or less to the northerly line of lands owned now or formerly by Rosa and Walter Lloyd as per Liber 9050 of deeds at page 569;
- Thence 4) Westerly along said northerly line of Rosa and Walter Lloyd a distance of 2.06 feet to the easterly line of Edgewood Park;
- Thence 5) Northerly and along the easterly line of Edgewood Park and curving to the right with a radius of 29.00 feet, a delta of 13° 52' 38" a distance of 7.02 feet;
- Thence 6) Continuing northerly along the easterly line of Edgewood Park a distance of 23.04 feet to the point or place of beginning.

Being the same premises acquired by GF Associates, LLC on January 4, 2000 by a deed recorded in the Monroe County Clerk's Office and filed in Liber 9260 of deeds at page 463.

Section 4. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the following parcel to street purposes and adding said parcel to Edgewood Park:

DESCRIPTION OF
LANDS TO BE ACQUIRED
PART OF 8 EDGEWOOD PARK
PART OF SBL # 120.43-02-39.1

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 of intersection of the easterly line of Edgewood Park and the dividing line between the lands of Rosa & Walter Lloyd as per Liber 9050 of deeds at page 569 on the south and the lands of GF Associates, LLC as per Liber 9260 of deeds at page 463 on the north;

- Thence 1) Easterly along said dividing line a distance of 2.06 feet to a point;
- Thence 2) Southerly through the lands of Rosa & Walter Lloyd and along a nontriangular curve to the left with a radius of 27.00 feet, a delta of 31° 29' 9" a distance of 14.84 feet to a point of reverse curve;
- Thence 3) Southeasterly, southerly and southwest-

erly curving to the right with a radius of 27.00 feet, a delta of 92° 47' 41" a distance of 50.21 feet to a point or reverse curve;

- Thence 4) Southwesterly along a curve to the left with a radius of 27.00 feet, a delta of 33° 23' 18" a distance of 15.73 feet more or less to the southerly line of the lands of said Lloyd;
- Thence 5) Westerly along the southerly line of said Rosa & Walter Lloyd a distance of 2.06 feet to the easterly line of Edgewood Park;
- Thence 6) Northeasterly along the easterly line of Edgewood Park and curving to the right with a radius of 29.00 feet, a delta of 34° 21' 22" and a distance of 17.39 feet to a point of reverse curve;
- Thence 7) Northeasterly, northerly and northwesterly along the easterly line of Edgewood Park and curving to the left with a radius of 29.00 feet, a delta of 92° 47' 41" and a distance of 46.97 feet to a point of reverse curvature;
- Thence 8) Northwesternly along the easterly line of Edgewood Park and curving to the right with a radius of 29.00 feet, a delta of 32° 31' 11" a distance of 16.46 feet to the point or place of beginning.

Being part of the same premises acquired by Rosa M. Lloyd and Walter H. Lloyd on August 24, 1998 by a deed recorded in the Monroe County Clerk's Office in Liber 9050 of deeds at page 569.

Section 5. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the following parcel to street purposes and adding said parcel to Edgewood Park:

DESCRIPTION OF LANDS
TO BE ACQUIRED
PART OF 10 EDGEWOOD PARK
PART OF SBL # 120.43-02-37.1

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 of intersection of the easterly line of Edgewood Park and the dividing line between Jimmie L. and Juanita D. Manor as per Liber 6845 of deeds at page 227 on the south and Lanny Harring as per Liber 6842 of deeds at page 284 on the north. Said point also being 64.16 feet more or

less northerly from the northerly line of Troup Street;

- Thence 1) Easterly along said dividing line a distance of 2.00 feet to a point;
- Thence 2) Northerly and parallel to the easterly line of Edgewood Park through the lands of said Lanny Harring a distance of 58.93 feet to a point of curvature;
- Thence 3) Continuing northerly and curving to the right with a radius of 27.00 feet for a delta of 13° 00' 31" a distance of 6.13

feet more or less to the northerly line of lands owned now or formerly by said Lanny Harring;

- Thence 4) Westerly along the northerly line of said Lanny Harring a distance of 2.06 feet to the easterly line of Edgewood Park;
- Thence 5) Southerly along the easterly line of Edgewood Park and along a curve to the left having a radius of 29.00 feet, a delta of 12° 02' 27" a distance of 6.09 feet to a point;
- Thence 6) Continuing southerly along the easterly line of Edgewood Park a distance of 58.96 feet to the point or place of beginning.

Being part of the same premises acquired by Lanny Harring on January 10, 1986 by a deed recorded in the Monroe County Clerk's Office and filed in Liber 6842 of deeds at page 284.

Section 6. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the following parcel to street purposes and adding said parcel to Edgewood Park:

DESCRIPTION OF LANDS
TO BE ACQUIRED
PART OF 14 EDGEWOOD PARK
PART OF SBL # 120.43-02-36.1

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 the point of intersection of the northerly line of Troup Street and the easterly line of Edgewood Park;

- Thence 1) Easterly along the northerly line of Troup Street a distance of 2.00 feet to a point;
- Thence 2) Northerly through the lands of Jimmie and Juanita Manor, as per a deed recorded in the Monroe County Clerk's Office in Liber 6845 at page 227, a distance of 64.18 feet more or less to the northerly line of said Manor's land;
- Thence 3) Westerly along the northerly line of said Manor's land a distance of 2.00 feet to the easterly line of Edgewood Park;
- Thence 4) Southerly along the easterly line of Edgewood Park a distance of 64.16 feet to the point or place of beginning.

Being part of the same premises acquired by Jimmie L. Manor and Juanita D. Manor on January 16, 1986 by a deed recorded in the Monroe County Clerk's Office and filed in Liber 6845 of deeds at page 227.

Section 7. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the following parcel to street purposes and adding said parcel to Troup Street:

DESCRIPTION OF
PERMANENT EASEMENT
AT 393 TROUP STREET
SBL # 120.43-03-04

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 the intersection of the southerly line of Troup Street and the easterly line of Renfrew Place;

Thence 1) Easterly along the southerly line of Troup Street 5.00 feet to a point;

Thence 2) Southwesterly through the lands of Julian M. Powers a distance of 7.07 feet to a point 5.00 feet southerly from the southerly line of Troup Street as measured along the easterly line of Renfrew Place;

Thence 3) Northerly along the easterly line of Renfrew Place a distance of 5.00 feet to the point or place of beginning.

Being part of the same premises acquired by Julian M. Powers by a deed recorded in the Monroe County Clerk's Office on August 2, 2000 and filed in Liber 9345 of maps at page 43.

Section 8. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating the following parcel to street purposes and adding said parcel to Troup Street:

DESCRIPTION OF
PERMANENT EASEMENT
AT 397 TROUP STREET
SBL # 120.43-03-01.1

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 the intersection of the southerly line of Troup Street and the westerly line of Renfrew Place;

Thence 1) Westerly along the southerly line of Troup Street a distance of 5.00 feet to a point;

Thence 2) Southeasterly through the lands of Mary L. Andrews a distance of 7.06 feet to a point 5.00 feet south of the southerly line of Troup Street as measured along Renfrew Place;

Thence 3) Northerly along the westerly line of Renfrew Place a distance of 5.00 feet to the point or place of beginning.

Being part of the same premises acquired by Mary L. Andrews by a deed recorded in the Monroe County Clerk's Office on December 8, 1978 and filed in Liber 5547 of deeds at page 21.

Section 9. This ordinance shall take effect upon acquisition of said parcels or easements by the City.

Held in committee.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-9 and
Ordinance No. 2001-10
Re: River Street Improvement Project

Transmitted herewith for your approval is legislation relating to the River Street Improvement Project. This legislation will:

1. Authorize an amendatory agreement with LaBella Associates, 300 State Street, for additional engineering design services, at a maximum cost of \$130,000;
2. Approve various changes in pavement width on River Street, Latta Road and Lighthouse Street;
3. Authorize an agreement with CSX Transportation, of Jacksonville, Florida, for design of improvements at the railroad crossing on River Street, at a maximum cost of \$30,000; and
4. Appropriate a total of \$2,417,000 in anticipated reimbursements from the Federal Highway Administration.

The River Street Improvement Project, which is a component of the Charlotte Harbortown Redevelopment Project, involves improvements to River Street, from Stutson Street to a point north of the railroad crossing; to Latta Road, from River Street to Lake Avenue; and to Lighthouse Street. A separate project will provide for the extension of River Street, from the north limit of this project into the port area.

Preliminary design of this project has been performed by LaBella under an agreement authorized by the City Council on July 13, 1999. Under the proposed amendatory agreement, LaBella will provide final design services. The design will adhere to the Harbortown District Design Guidelines.

The changes in pavement width are intended to achieve compliance with the City's current street standards. They will result in:

1. One 13' travel lane and one 8' parking lane on River Street, from Stutson Street to Latta Road;
2. Two 13' travel lanes on River Street, from Latta Road;
3. Two 13' travel lanes on Latta Road; and
4. Two 9' travel lanes on Lighthouse Street, with recessed parking areas for seven vehicles adjacent to Holy Cross School and for six spaces at the north end of the street for visitors to the lighthouse.

Besides the changes in pavement width, the project will include the reconstruction of the pavement; replacement of the water main on River Street; installation of new curbs, gutters and sidewalks; and landscaping and signage. Under the proposed agreement with CSX, substantial improvements will also be made to the railroad crossing on River Street and, as part of the O'Rourke Bridge project, other improvements will be made to the intersection of River and Stutson Streets.

The estimated cost of the improvements included in the River Street project is \$3,051,000.

<u>Improvement</u>	<u>Estimated Cost</u>
Street	\$2,597,625
Water	243,750
Sewer	142,500

Traffic	67,125
Total	\$3,051,000

This cost will be financed as follows:

Federal TEA-21	\$2,440,935
NYS DOT	457,550
City	152,515
Total	\$3,051,000

An information meeting concerning the project was held on September 14, 2000. A copy of the minutes of this meeting is attached.

The Traffic Control Board endorsed the proposed changes in pavement width on December 19, 2000. A public hearing on the changes is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-5

Ordinance No. 2001-9
(Int. No. 36)

Establishing Maximum Compensation For Agreements For The River Street Improvement Project, Appropriating Funds And Amending Ordinance No. 99-245

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

Section 1. The sum of \$130,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and LaBella Associates for engineering design services related to the River Street Improvement Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Of said amount, \$19,500 shall be funded from the New York State funds appropriated in Section 4 of Ordinance No. 2000-367, \$104,000 is hereby appropriated from anticipated reimbursements from the Federal Highway Administration, and \$6,500 shall be funded from the 1998-99 Cash Capital Allocation.

Section 2. The sum of \$30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and CSX Transportation for the design of improvements for the River Street railroad crossing as a part of the River Street Improvement Project. Of said amount, \$4,500 shall be funded from the New York State funds appropriated in Section 4 of Ordinance No. 2000-367, \$24,000 shall be funded from the Federal Highway Administration funds appropriated in Section 3 of Ordinance No. 99-82 and \$1,500 shall be funded from the 1998-99 Cash Capital Allocation.

Section 3. There is hereby appropriated from anticipated reimbursements from the Federal Highway Administration the sum of \$2,417,000, or so much thereof as may be necessary, to fund construction and construction inspection services for the River Street Improvement Project.

Section 4. Ordinance No. 99-245, relating to a design agreement with LaBella Associates, as amended, is hereby further amended by reducing the amount funded therein from the 1998-99 Cash Capital Allocation from \$170,000 to \$42,250, and by replacing

said funds with New York State funds appropriated in Section 4 of Ordinance No. 2000-367 in the amount of \$123,750.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-10
(Int. No. 37)

Authorizing Changes In The Pavement Width Of River Street, Latta Road And Lighthouse Street As A Part Of The River Street Improvement Project

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

Section 1. The Council hereby approves the following changes in the pavement width of River Street as part of the River Street Improvement Project:

- A decrease in width beginning 44 feet north of the centerline of Stutson Street for a distance of 15 feet, including a taper from the existing width of 22 feet to the proposed width of 21 feet;
- A decrease in width of one (1) foot for the next 265 feet northerly from the existing width of 22 feet to the proposed width of 21 feet;
- A decrease in width of 5 feet for the next 247 feet northerly from the existing width of 26 feet to the proposed width of 21 feet;
- An increase in width of approximately 5 feet for the next 556 feet northerly from the existing width of +/-21 feet to the proposed width of 26 feet.

Section 2. The Council hereby approves the following changes in the pavement width of Latta Road as part of the River Street Improvement Project:

- An increase in width of 16 feet beginning at a point 100 feet east of the centerline of Lake Avenue and extending 105 feet easterly, from an existing width of 20 feet to the proposed width of 36 feet;
- An increase in width of 22 feet for the next 75 feet, including a transition to the proposed width of 42 feet;
- An increase in width of 22 feet for the next 387 feet from the existing width of 20 feet to the proposed width of 42 feet;
- An increase in width of 6 feet for the next 25 feet to the west street line of River Street from the existing width of 20 feet to the proposed width of 26 feet.

Section 3. The Council hereby approves the following changes in the pavement width of Lighthouse Street as part of the River Street Improvement Project:

- A increase in width of 4 feet beginning at the north street line of Latta Road from the existing width of 20 feet to the proposed width of 24 feet;
- A decrease in width for the next 24 feet northerly including a taper to match the existing width of

18 feet;

- c. An increase in width of 8 feet for the next 226 feet from the existing width of 18 feet to the proposed width of 26 feet;
- d. An increase in width of 6 feet for the next 105 feet from the existing width of 12 feet to the proposed width of 18 feet;
- e. An increase in width of 14 feet for the next 135 feet from the existing width of 12 feet to the proposed width of 26 feet.

Section 4. Such changes and additional improvements as a part of the River Street Improvement Project, shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Douglas
January 16, 2001

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 8 - Authorizing Agreements For Human Services Projects And Amending The 2000-01 Budget

Int. No. 9 - Appropriating Funds For An Adult Computer Program

Int. No. 10 - Establishing Maximum Compensation For Professional Services Agreements For Services As A Grant Writer For The Rochester Cemeteries Heritage Foundation And Amending The 2000-01 Budget And Authorizing Agreement Options, As Amended

Int. No. 11 - Establishing Maximum Compensation For A Professional Services Agreement With Hamilton Associates For Psychological Evaluation Services

Int. No. 12 - Establishing Maximum Compensation For A Professional Services Agreement With Pittsford Animal Hospital For Veterinary Services

Int. No. 38 - Establishing Maximum Compensation For A Professional Services Agreement For Project Management Services

Int. No. 39 - Providing The Benefits Of Section 384-e Of The Retirement And Social Security Law To Fire Department Members

Respectfully submitted,
Benjamin L. Douglas
Robert J. Stevenson
Tony M. Thompson
Gladys Santiago (Did not vote on Introductory No. 8.)
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-11 and
Ordinance No. 2001-12
Re: Human Services Projects

Transmitted herewith for your approval is legislation relating to various human services projects. This legislation will:

1. Authorize agreements with two organizations for the following projects:

Organization Project	Amount
Ibero American Action League Youth Entrepreneurship and Cultural Performance Program	\$50,000
Rochester Grantmakers Forum Rochester Effectiveness Partnership	10,000
2. Appropriate a total of \$67,900 from Community Development Block Grants to finance the cost of these agreements and to support the following other projects:	
Maplewood-Edgerton Toy Library	\$5,000
Element K Saturdays Program	2,900
Total	\$7,900

3. Amend the 2000-01 budget of the Department of Parks, Recreation and Human Services to include the former appropriation.

The first two projects are considered projects with matching funds and are therefore eligible for up to five years of funding under the human services funding guidelines approved by the City Council in June, 1981. The proposed agreements represent the first and second years of funding, respectively. Program descriptions, budgets and assessment, as appropriate, are attached.

The Maplewood-Edgerton Toy Library will supplement the toy library at the Lincoln branch library. Like the Lincoln library, the Maplewood-Edgerton library will make toys and educational materials available to the public, to improve parent-child relationships. The proposed appropriation will support operation of the library.

The Element K (formerly Ziff-Davis Education center) Saturdays Project provides free training for city residents over age 18 in the operation of personal computers, applications, and the Internet. The training is provided on one Saturday each month for four months for classes of up to 16 people who do not otherwise have access to such training.

Element K provides use of its facility at 500 Canal Boulevard, trainers, the training curriculum and reference materials. The training relates to:

1. Windows 98 (operating system)
2. Microsoft Word (word processing)
3. Microsoft Excel 97 (spreadsheets, charts and graphs)
4. Microsoft Explorer (Internet)

Upon completion of the training, a participant receives a personal computer refurbished by MicRecycle. The

proposed appropriation for the program will finance the purchase of sound cards and CD ROMs for the refurbished computers, to permit the participants to fully utilize the training they receive.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-6

Ordinance No. 2001-11
(Int. No. 8)

Authorizing Agreements For Human Services Projects And Amending The 2000-01 Budget

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for Human Services Projects in amounts not to exceed the following:

<u>Organization</u>	<u>Amount</u>
<u>Project</u>	
Rochester Grantmakers Forum Rochester Effectiveness Partnership	\$10,000
Ibero American Action League Youth Entrepreneurship And Cultural Performance Program	50,000

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$60,000, and of said amount, or so much thereof as may be necessary, \$3,567 is hereby appropriated from the General Community Needs Allocation of the 2000-01 Community Development Program and \$52,600 is hereby appropriated from the General Community Needs Allocation of the 1999-2000 Community Development Program and \$3,833 is hereby appropriated from the General Community Needs Allocation of the 1997-98 Community Development Program.

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

Section 4. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Neighborhood Empowerment Teams by the sum of \$5,000, which amount is hereby appropriated from the General Community Needs Allocation of the 1999-2000 Community Development Program.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-12
(Int. No. 9)

Appropriating Funds For An Adult Computer Program

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

Section 1. There is hereby appropriated from the

General Community Needs Allocation of the 2000-01 Community Development Program the sum of \$2,900, or so much thereof as may be necessary, to fund an adult computer program.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-13
Re: Agreement - Nonprofit Works,
Inc., Cemeteries Fund Raising

Transmitted herewith for your approval is legislation authorizing an agreement with NonprofitWorks, Inc. (principal: Paul Mastrodonato), 10 Gibbs Street, for grant writing services for the Rochester Cemeteries Heritage Foundation. The maximum cost of this agreement will be \$15,000, which will be financed through the appropriation of a portion of the unreserved retained earnings of the Cemetery Fund.

In June, 1998, a plan was presented to address the annual deficits experienced by the City's cemeteries. This plan provided for:

1. Development of a sales staff to enhance revenues,
2. Development of a long-term marketing plan to sustain revenues,
3. Limitation of improvements at the cemeteries for the next few years,
4. Establishment of a Cemetery Advisory Committee, and
5. Formation of a foundation through which to solicit funds to finance cemetery improvements.

These actions have or are being implemented.

1. Ten sales personnel have been hired,
2. A marketing plan is being developed by Saphar Associates pursuant to an agreement authorized by the Council on January 18, 2000,
3. Under the 2000-01/2000-03 Capital Improvement Program, only \$307,000 is allocated for cemetery improvements during the next five years,
4. A nine-member advisory committee has been established, and
5. The Rochester Cemeteries Heritage Foundation has been established.

To assist in fund-raising efforts, on January 18, the Council also authorized an agreement with Donna Dey for the preparation of grant applications. However, upon review, Ms. Dey has determined she will not be able to provide the required services.

The proposed agreement with NonprofitWorks will replace the agreement with Ms. Dey. The cost (\$30 per hour) and term of the agreement will remain the same.

The appropriation of the retained earnings of the Cemetery Fund will require amendment of the 2000-

01 budget of the Department of Parks, Recreation and Human Services.

Lists of the members of the advisory committee and the board of directors of the foundation are attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-7

Ordinance No. 2001-13
(Int. No. 10, As Amended)

Establishing Maximum Compensation For Professional Services Agreements For Services As A Grant Writer For The Rochester Cemeteries Heritage Foundation And Amending The 2000-01 Budget And Authorizing Agreement Options

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

Section 1. The sum of \$15,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Nonprofit Works, Inc. for services as a Grant Writer for the Rochester Cemeteries Heritage Foundation. Said amount shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Parks, Recreation and Human Services by the sum of \$15,000, which amount is hereby appropriated from the retained earnings of the Cemetery Fund.

Section 3. The Council hereby further approves the addition of four one-year renewal options to the agreement with Miriam Shapiro for fundraising services for the Rochester Cemeteries Heritage Foundation as approved in Ordinance No. 2000-5. Said renewals shall be contingent upon funding being provided in the annual budgets of the Department of Parks, Recreation and Human Services.

Section 4. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-14
Re: Agreement - Hamilton Associates,
Police Psychological/Psychiatric Exams

Transmitted herewith for your approval is legislation authorizing an agreement with Hamilton Associates, of Fairport, for the continued provision of psychological and psychiatric evaluations. The maximum cost of this agreement will be \$25,000, which will be financed from the 2000-01 budget of the Police Department.

A psychological and psychiatric evaluation is one of the components that is used to determine the

eligibility of persons for appointment as police officers. Hamilton has conducted such evaluations for the City since 1996. The most recent agreement for evaluations was authorized by the City Council on September 15, 1999.

Under the proposed agreement, Hamilton will continue to provide these services through August 31, 2001. Specifically:

For each police officer recruit:

1. Administer and interpret the following psychological instruments:

Inwald Personality Inventory
Minnesota Multiphasic Personality Inventory

2. Conduct a structured clinical interview;

3. Prepare a written report concerning the recruit's likely mental fitness to perform law enforcement functions;

4. As requested, discuss the evaluation with appropriate City personnel and the Civil Service Commission; and

5. As required, provide expert testimony in any relevant court proceedings.

The cost of each pre-employment evaluation will be \$500.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-14
(Int. No. 11)

Establishing Maximum Compensation For A Professional Services Agreement With Hamilton Associates For Psychological Evaluation Services

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

Section 1. The sum of \$25,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for the continuation of a professional services agreement between the City and Hamilton Associates for psychological and psychiatric evaluation of police officer candidates and police officers. Said amount shall be funded from the 2000-01 Budget of the Rochester Police Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-15
Re: Agreement - Pittsford Animal
Hospital, Emergency Veterinary
Services

Transmitted herewith for your approval is legislation authorizing an agreement with Pittsford Animal Hospital, 2816 Monroe Avenue, for the continued provision of emergency veterinary services for the Animal Services Center. The maximum cost of this agreement will be \$8,000, which will be financed

from the 2000-01 budget of the Police Department (Animal Control Fund).

As you are aware, until July 1, 2000, the Humane Society operated the Center for the City under an agreement authorized by the City Council on June 18, 1991. The Society declined to continue operating the Center after that date and the Police Department therefore assumed operational responsibility.

However, the Society has continued to provide regular veterinary services under an agreement authorized by the Council on October 17. Since July 1, Pittsford Animal Hospital has provided emergency veterinary services.

Under this agreement, PAH provides care to critically sick or injured animals brought to its facility at night or on weekends and holidays. It is the only facility that provides care after normal business hours.

The fees for such care are as follows:

Examination	\$31
Catheter/IV fluids	\$29-\$40
Steroids	\$15-\$30
Pain Medication	Up to \$30
Oral antibiotics	\$10-\$15
Treatment	\$19-\$25 per day
Hospitalization	\$10-\$16 per day
Euthanasia	\$8

To date, \$4,503 has been expended for these services.

Under the proposed amendatory agreement, PAH will continue to provide these services. If the amendatory agreement is approved, the total cost of the agreement with PAH will increase to \$15,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-15
(Int. No. 12)

Establishing Maximum Compensation For A Professional Services Agreement With Pittsford Animal Hospital For Veterinary Services

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

Section 1. The sum of \$8,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for the continuation of a professional services agreement between the City and Pittsford Animal Hospital for emergency veterinary services. Said amount shall be funded from the 2000-01 Budget of the Rochester Police Department. The agreement may contain two one-year options, with the amount not to exceed the sum set forth in the annual budgets of the Rochester Police Department for said purpose, contingent upon approval of said budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-16
Re: Agreement - Nancy Burton, Public

Safety Building Project

Transmitted herewith for your approval is legislation authorizing an agreement with Nancy Burton, 157 S. Fitzhugh Street, for project management services relating to the new Public Safety Building Project. The maximum cost of this agreement will be \$38,800, which will be financed from the 2000-01 budget of the Department of Environmental Services.

As you are aware, the Public Safety Building Project involves the construction of a 150,760 square foot building to replace the present Public Safety Building and the current facilities of the Bureau of Information Systems. Design of the building, by Bergmann Associates, was authorized by the City Council on February 16, 1999 and January 18, 2000.

Nancy Burton was an employee of the City from July 14, 1966 to December 30, 2000, when she retired. She served as head of the architectural division from January 11, 1982 to the latter date.

In that capacity, she had project management responsibility for the Public Safety Building Project, which is expected to be completed in April, 2002. Under the proposed agreement, Ms. Burton will continue to have this responsibility.

Under the agreement, she will:

1. Represent the City at all project management meetings and assist in resolution of any construction issues;
2. Assist in the completion of plans and designs for special use areas within the building, including the command center, police headquarters desk and auditorium;
3. Prepare an inventory of existing furniture and equipment and determine the new furniture and equipment that are required;
4. Develop an interior and exterior signage plan;
5. Assist in the relocation of the computer systems of the Police Department and Bureau of Information Services;
6. Coordinate the installation of utility services;
7. Assist in the development of a building operation and maintenance plan; and
8. Assist in the development of a relocation plan.

The City will provide office space for Ms. Burton at the project site. Ms. Burton will be responsible for all other expenses, including the cost of insurance.

While a replacement for Ms. Burton has been appointed, Pamela Marcotte, the proposed agreement is recommended because of Ms. Burton's familiarity with the project and to minimize any problems resulting from the transition. The agreement will extend through April 1, at which time a determination will be made whether to request an extension.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-16
(Int. No. 38)

Establishing Maximum Compensation For

A Professional Services Agreement For Project Management Services

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

Section 1. The sum of \$38,800, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Nancy H. Burton, AIA, for interim project management services related to the completion of the new Public Safety Building. Said amount shall be funded from the 2000-01 Budget of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-17
Re: NYS Retirement Plan - Fire

Transmitted herewith for your approval is legislation authorizing certain fire personnel to transfer their enrollment to a new retirement plan. Such authorization is required by section 384-e of the NYS Retirement and Social Security Law.

On November 30, the City and International Association of Firefighters Local 1071 executed a collective bargaining agreement for the period July 1, 2000 to June 30, 2003. Among other things, the agreement provides for the re-opening of the retirement plan described in section 384-e of the NYS RSSL to personnel currently enrolled in the plan described in section 384-d.

Under the latter plan, a firefighter may retire after 20 years of service with a pension payment equal to 50% of his or her final average salary; the plan does not provide any additional credit or benefit for service beyond 20 years. Under the former plan, an additional credit or benefit of 1.66% of the final average salary is provided for each year of service beyond 20 years; the maximum pension is 75% (for firefighters appointed prior to July 1, 1973) or 66% (for firefighters appointed between July 1, 1973 and July 1, 1976) of the final average salary.

Similar authorization for police officers to transfer enrollment in these retirement plans was approved by the City Council on August 22, 2000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-17
(Int. No. 39)

Providing The Benefits Of Section 384-e Of The Retirement And Social Security Law To Fire Department Members

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

Section 1. The Council of the City of Rochester hereby elects to pay the additional costs for members of the Fire Department to receive the additional benefit after twenty years of creditable service provided for under the provisions of Section 384-e of the Retirement and Social Security Law or any subsequent

amendments thereto, as approved in the collective bargaining agreement with the Rochester Fire Fighters Association, Inc. covering the period from July 1, 1999 through June 30, 2003.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilman Douglas moved to discharge Introductory No. 458 from committee.

The motion was seconded by Councilwoman Griswold.

The motion was adopted by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Stevenson, Thompson - 7.

Nays - Councilman Mains - 1.

Introductory No. 458 was introduced December 19, 2000, and appears in its original form with its transmittal letter on page 347 of the 2000 Council Proceedings.

Ordinance No. 2001-18
(Int. No. 458)

Authorizing Agreements For A New Genesee Settlement House Facility

Passed unanimously.

By Councilmember Norwood
January 16, 2001

To the Council:

The Housing And Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 13 - Authorizing The Sale Of Real Estate

Int. No. 14 - Authorizing The Lease Of Parking Space At 7.5 King Street

Int. No. 15 - Authorizing A License For The Use Of Space At 160 Hague Street

Int. No. 16 - Authorizing The Lease Of Space At 232 Mill Street

Int. No. 17 - Authorizing The Lease Of Space At 304 Andrews Street

Int. No. 18 - Appropriating Funds And Authorizing Agreements For The Rehab Rochester Program

Int. No. 19 - Appropriating Funds And Authorizing Agreements For The Home Reoccupation/Vacant Grant/Homesteading Programs - \$300,000

Int. No. 20 - Authorizing Agreements For Neighborhood Initiative Grants

Int. No. 21 - Authorizing An Agreement For An Historical Resources Survey And Amending The 2000-01 Budget

Int. No. 29 - Authorizing Agreements With Com-

muniversity Housing Development Organizations And Appropriating Funds

Int. No. 34 - Resolution Approving Appointment And Reappointments To The Rochester Public Library Board Of Trustees

The Housing And Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 22 - Authorizing Amendatory 1995-96 And 1996-97 Community Development Program Plans And 1995-96 And 1999-2000 City Development Funds And An Agreement For The Hallman Development Project And Amending Ordinance No. 96-229

Int. No. 23 - Renaming Bronson Avenue As Dr. Samuel McCree Way

The following entitled legislation is being held in committee:

Int. No. 30 - Amending The Municipal Code With Respect To Hours Of Operation Of Solicitors And Commercial Travelers

Int. No. 31 - Amending The Municipal Code With Respect To Required Training For The Holders Of Certain City Certificates And Licenses

Respectfully submitted,
Wade S. Norwood
Benjamin L. Douglas
Nancy K. Griswold
Gladys Santiago
HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance Nos. 2001-19,
2001-20, 2001-21, 2001-22
and 2001-23

Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the following real estate transactions:

1. Sale of 10 properties,
2. Lease of one City property and portions of two others, and
3. Use of another City property under a license agreement.

Sales

The first four properties to be sold, all of which are vacant lots, were included at public auction subject to the approval of a development proposal. Three properties - 168 Carter Street, 46 Rutter Street and 32 Wilson Street - will be developed as parking areas; 680 Joseph Avenue will be fenced and landscaped and combined with the purchaser's adjacent property. For purposes of disclosure, the City Council is advised that Carol Wheeler, one of the principals of the purchaser of 32 Wilson Street, is an employee of the Department of Community Development.

The fifth property, 16 Treyer Street, will be sold under the Tenant Ownership Program. The purchase price was established by an independent appraiser, Patrick Cahill. The purchaser will be required to rehabilitate the property within 18 months and to occupy it for a minimum of seven years.

The sixth property, 42 Scrantom Street, will be sold to its former owner. The purchase price includes all delinquent taxes, interest and penalties.

The next two properties, the east and west halves of 162 Central Park, are considered unbuildable because of their size. They will be sold to the owners of the adjacent properties and combined with those properties.

The last two properties, the north and south halves of 141 Albemarle Street, will be sold to the owners of the adjacent properties and used for parking. The sale prices were established by an independent appraiser, Robert Pogel.

Leases

The first property to be leased, 7.5 King Street, will be used for parking for the corporate offices of the Susan B. Anthony House, which are located on the adjacent property at 16 Madison Street. The lease will have an initial term of one year with provision for renewal for four additional one-year periods.

The annual rental rate will be \$1,500. At its option, the Susan B. Anthony House may provide admittance tickets to the City School District in lieu of the rental payment. A minimum of 300 student passes and 100 teacher passes will be provided each year.

The second property to be leased is a portion of 232 Mill Street, which is the location of the Holly Pump Station. The portion contains 758 square feet and will be used for the storage of the trash receptacles of the building located at 298-300 State Street.

Such storage will improve access to the latter building. The owner of the building will apply to the Rochester Preservation Board for the installation of fencing to enclose the storage area.

The lease will have an initial term of five years with provision for renewal for five additional one-year periods. The annual rental rate of \$1,260 was established by an independent appraiser, Kevin Bruckner.

The third property to be leased is a portion of 304 Andrews Street. The portion contains 3,250 square feet of space and will continue to be used by the Metropolitan Refining Company for office and warehouse purposes.

The current agreement for such use was authorized by the Council on January 17, 1998. It is scheduled to expire on January 31, 2001.

The proposed agreement will have a term of three years. However, the City will continue to have the right to terminate the lease after six months notice if the property is required for economic development purposes.

The proposed annual rental rate of \$19,200 is \$3,540 more than the present rental rate.

License

The proposed license agreement, for a vacant lot at

160 Hague Street, will provide the Sybron International Corporation access to install and maintain two groundwater monitoring wells. The agreement will have an initial term of three years with provision for renewal for two additional one-year periods.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-8

Ordinance No. 2001-19
(Int. No. 13)

Authorizing The Sale Of Real Estate

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

Section 1. The Council hereby approves the sale of the following parcels of vacant land by public auction with proposal:

<u>Address</u> <u>S.B.L.#</u>	<u>Price</u>	<u>Purchaser</u>
168 Carter St 106.26-2-01	\$ 50	Kim E. Gayle
680 Joseph Av 106.23-3-44	50	Sadie Redfield
46 Rutter St 105.64-1-68	2,000	Local 46 Steelmetal Workers Bldg Corp
32 Wilson St 106.49-3-43.1	50	First Genesis Baptist Church*

*Principals: Easter Tucker; Carol Wheeler

Section 2. The Council hereby further approves the sale of the following parcel of real estate through the tenant ownership program:

<u>Address</u> <u>S.B.L.#</u>	<u>Price</u>	<u>Purchaser</u> <u>Legal Use</u>
16 Treyer St 106.22-4-33	\$10,500	George & Marva Horn 1 Family

Section 3. The Council hereby further approves the sale of the following parcel of improved property to the former owner:

<u>Address</u> <u>S.B.L.#</u>	<u>Price</u>	<u>Purchaser</u>
42 Scrantom St 106.37-3-33	\$6,110.26	Carmen & Iris Martinez

Section 4. The City Council hereby further approves the negotiated sale of the following parcel of unbuildable vacant land for the sum of \$1.00:

<u>Address</u> <u>Purchaser</u>	<u>SBL#</u>	<u>Sq. Ft.</u>
EH 162 Central Pk Sara Tirado	Pt of 106.50-2-49	1443+/-
WH 162 Central Pk Francisco Teron	Pt of 106.50-2-49	1443+/-

Section 5. The Council hereby further approves the negotiated sale of the following parcels of vacant land:

<u>Address</u> <u>S.B.L.#</u>	<u>Price</u>	<u>Purchaser</u>
NH of 141 Albemarle St Pt of 090.67-1-2	\$1,500	John H. Kier, Jr.
SH of 141 Albemarle St Pt of 090.67-1-2	1,500	Richard E. & Deborah Weir

Section 6. City taxes and other City charges, except water charges, against said properties are hereby cancelled 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 7. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-20
(Int. No. 14)

Authorizing The Lease Of Parking Space At 7.5 King Street

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Susan B. Anthony House, Inc. for the lease of parking space on the City-owned parcel at 7.5 King Street for a term of one year, with an annual rent of \$1,500. The lease may contain four one-year renewal options. The lease shall provide that Susan B. Anthony House, Inc. may satisfy the rental amount by providing admittance passes for use by the Rochester City School District.

Section 2. The lease 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.

Ordinance No. 2001-21
(Int. No. 15)

Authorizing A License For The Use Of Space At 160 Hague 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 Sybron International Corporation for access to the City-owned parcel at 160 Hague Street for installing, maintaining and sampling two groundwater-monitoring wells for a term of three years with an annual fee of \$100. The license may contain two one-year renewal options.

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.

Ordinance No. 2001-22
(Int. No. 16)

Authorizing The Lease Of Space At 232 Mill Street

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 Asset One LLC and Asset Two LLC for the lease of space at the City-owned parcel at 232 Mill Street for storage of trash receptacles for a term of five years, with an annual rent of \$1,260. The lease may contain one five-year renewal option.

Section 2. The lease 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.

Ordinance No. 2001-23
(Int. No. 17)

Authorizing The Lease Of Space At 304 Andrews Street

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Metropolitan Refining Company, Inc. for the lease of office and warehouse space at the City-owned building at 304 Andrews Street for a term of three years, with total rent of \$57,600. The lease may be terminated by the City on six months notice if required for Economic Development purposes.

Section 2. The lease 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 Nos. 2001-24, 2001-25
and 2001-26

Re: Housing Rehabilitation Programs

Transmitted herewith for your approval is legislation relating to various housing rehabilitation programs. This legislation will:

1. Appropriate a total of \$3,057,300 from the Housing Stock and General Property Conditions of the 2000-01 Community Development Block Grant and 2000 HOME Program for the Rehab Rochester Program;
2. Appropriate \$300,000 from the 2000-01 CDBG for the Home Reoccupation, Vacant Grant, and Homesteading Programs;
3. Appropriate \$1,000,000 from a Neighborhood Initiatives grant recently received from the U.S.

Department of Housing and Urban Development; and

4. Authorize any necessary agreements.

The Rehab Rochester Program provides grants for the rehabilitation of one- and two-family owner-occupied houses. To be eligible for a grant, the owner must have a family income that does not exceed 60% of the median family income in the Rochester metropolitan statistical area.

The Home Reoccupation/Homesteading Program provides grants of up to \$15,000 to prospective owner-occupants for the rehabilitation of vacant one- and two-family structures. To be eligible for a grant, the prospective owner must have a family income that does not exceed 80% of the median family income of the Rochester MSA.

The grants are provided in conjunction with the "Dollar and a Dream" homesteading program. The participants must obtain a Certificate of Occupancy and retain ownership and reside in the property for a minimum of five years.

The most recent appropriations for the programs were approved by the City Council on July 13, 1999. Following is a summary of the use of these funds, which have been completely disbursed or committed.

Program	Appropriation	Grants
Rehab Rochester	\$3,033,800	201
Home Reoccupation/ Homesteading	300,000	20

With the new federal requirement relating to lead paint, the proposed appropriation for the Rehab Rochester program is expected to be sufficient to provide approximately 127 additional grants, based on an average grant of \$15,000 plus an allowance of \$9,000 for lead paint abatement.

Applications for 20 additional Home Reoccupation grants have been approved. The proposed appropriation for the Home Reoccupation program will finance these grants. Since the grants were approved prior to September 15, 2000, the federal requirement relating to lead paint does not apply.

The funds appropriated from the Neighborhood Initiative grant will be used in conjunction with the Asset Control Area Program of the U.S. Department of Housing and Urban Development. The City's participation in the program was authorized by the Council on September 15, 1999.

The appropriation is intended to supplement other appropriations for existing housing programs, such as buyer assistance grants and rehabilitation grants and lead paint remediation.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-24
(Int. No. 18)

Appropriating Funds And Authorizing Agreements For The Rehab Rochester Program

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

Section 1. There is hereby appropriated from 2000 Home Program Funds the sum of \$2,055,600, or so much thereof as may be necessary, to fund the Rehab Rochester Program.

Section 2. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-2001 Community Development Program the sum of \$1,001,700, or so much thereof as may be necessary, to fund the Rehab Rochester Program.

Section 3. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Rehab Rochester Program.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-25
(Int. No. 19)

Appropriating Funds And Authorizing Agreements For The Home Reoccupation/Vacant Grant/Homesteading Programs - \$300,000

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

Section 1. The sum of \$300,000, or so much thereof as may be necessary, is hereby appropriated from the Home Reoccupation/Vacant Grant/Homesteading Allocation of the 2000-01 Community Development Program to fund the Home Reoccupation/Vacant Grant/Homesteading Programs.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Home Reoccupation/Vacant Grant/Homesteading Programs.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-26
(Int. No. 20)

Authorizing Agreements For Neighborhood Initiative Grants

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Housing and Urban Development for the receipt and use of funding under the Neighborhood Initiatives Grant Program. The Mayor or his designee is further authorized to enter into necessary agreements for the use of the funds.

Section 2. The agreements shall obligate the City to pay an amount not to exceed \$1,000,000, and said amount, or so much thereof as may be necessary, is

hereby appropriated from the funds to be received under the grant agreement authorized herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-27
Re: Agreement - Mark McKevez,
Historic Resources Survey

Transmitted herewith for your approval is legislation authorizing an agreement with Mark McKevez, of Washington D.C., for preparation of a consolidated historic resources survey. The maximum cost of this agreement will be \$47,220, which will be financed from the Housing Stock and General Property Conditions allocation of the 1999-00 Community Development Block Grant and a grant from the NYS Office of Parks, Recreation and Historic Preservation.

Historic resource surveys or inventories are required under section 106 of the National Historic Preservation Act. The Act specifies that expenditures of federal funds be accomplished in a manner that does not adversely affect properties either included or eligible for inclusion in the National Register of Historic Places.

The Bureau of Buildings and Zoning recently completed an update of the survey that was completed in 1986, which involved a review of structures built before 1936. The update involved a review of structures that were built between 1936 and 1950.

The standards and methodologies used in the recent update reflected current historic theories and principles. In some instances, these standards and methodologies were different than those used in the previous survey.

Proposals to prepare a consolidated survey using current standards and methodologies were solicited from 10 persons or organizations. Two proposals were received.

Mr. McKevez is recommended because of his experience and relative cost. He was an employee of the Department of Community Development from January, 1998 to May, 2000 and worked on the recent update.

The cost of the other proposal, from a local organization, was \$2,780 more than the cost of Mr. McKevez' proposal. Further, this cost was proposed as a minimum rather than a maximum. In addition, the proposal provided for agreements with two subcontractors, which would have resulted in the administration of three, rather than one, agreements.

Under the proposed agreement, Mr. McKevez will:

1. Survey and digitally photograph properties included in the 1986 survey to determine whether they still exist and their current condition;
2. Re-evaluate the 1986 survey recommended listings for the National Register of Historic

Places, using the 2000 survey standards and methodologies:

3. As necessary, supplement the information included in the 1986 survey to provide consistency with the 2000 survey;
4. Prepare a consolidated survey of properties already on local, state or national registers and properties considered eligible for listing;
5. Digitally map all properties for inclusion on the Geographic Information System; and
6. Create a website containing the digital photographs and maps and other relevant data of all properties.

The project is expected to be completed within nine months.

The 2000-01 budget of DCD will be increased by \$18,000 to reflect the receipt and use of the state grant.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-27
(Int. No. 21)

Authorizing An Agreement For An Historical Resources Survey And Amending The 2000-01 Budget

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 Mark McKeivitz for an Historical Resources Survey.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$47,220, and said amount, or so much thereof as may be necessary, shall be funded from the 2000-01 Budget of the Department of Community Development.

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

Section 4. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Community Development by the sum of \$47,200. To fund said amendment, \$29,220 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1999-2000 Community Development Program and \$18,000 is hereby appropriated from a grant to be received from the New York State Office of Parks, Recreation and Historic Preservation.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-28
Re: Community Housing Development Organizations

Transmitted herewith for your approval is legislation relating to Community Housing Development Organizations. This legislation will:

1. Designate the South West Area Development Corporation, 236 Bronson Avenue, as a CHDO;
2. Authorize agreements with any other organizations that have been designated as CHDO's for the development of affordable housing;
3. Appropriate or reappropriate a total of \$1,182,949 from the 1998, 1999, and 2000 HOME programs to partially finance the cost of these agreements; and
4. Appropriate a total of \$136,100 from the 1998 and 2000 HOME programs to partially finance the operating expenses of such organizations.

Under the federal regulations for the HOME program, at least 15% of a municipality's annual allocation must be used for development of affordable housing by non-profit agencies that are designated as CHDO's. The City is also permitted to appropriate an additional 5% of its HOME allocation to assist CHDO's with their operating costs.

Since the inception of the HOME program in 1992, the City Council has designated 15 organizations as CHDO's. Seven of these organizations are currently active, with four others ready to reactivate.

One additional organization, the South West Area Development Corporation, has requested designation as a CHDO. SWADCO, in cooperation with Isla Housing & Development Corporation (a designated CHDO), has secured Federal Home Loan Bank assistance to underwrite mortgage interest rates for the purchasers of 15 homes to be acquired and rehabilitated under their joint venture.

To date, a total of \$3,224,852 has been appropriated by the Council for CHDO projects involving 110 housing units. A summary of the status of these appropriations and projects is attached.

An additional \$830,151 has been appropriated to partially fund the operating expenses of CHDO's. The current unexpended balance of this appropriation is \$29,610.

The proposed appropriations for development activities represent the balance of HOME funding available for CHDO's from fiscal years 1998, 1999, and 2000. These funds will be used to assist income-eligible home buyers purchase renovated vacant homes through the HOME Rochester program.

It is estimated that approximately 60 buyers will be assisted through the proposed appropriation. An additional 55 buyers will be assisted with grants provided to the Greater Rochester Housing Partnership by New York State.

The City and State funds are expected to be used in combination, depending on the particular circumstances of the individual buyers. The average subsidy is expected to be approximately \$20,000.

The proposed appropriations for the CHDO operating assistance represent the remaining available balances from the 1998 and 2000 HOME programs. A prior appropriation for operating assistance, approved by

the Council on September 15, 1999, will be reduced since the 5% limit was exceeded. The funds will be reappropriated for development activities.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-9

Ordinance No. 2001-28
(Int. No. 29)

Authorizing Agreements With Community Housing Development Organizations And Appropriating Funds

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 any of the designated Community Housing Development Organizations (CHDO's) for the development of affordable housing under the HOME Program. The Council further designates the South West Area Development Corporation as a Community Housing Development Organization. The agreements shall obligate the City to pay amounts not to exceed the sums appropriated for this purpose.

Section 2. There is hereby appropriated from 1998 HOME Program Funds the sum of \$122,499, and there is hereby appropriated from 1999 HOME Program Funds the sum of \$530,650, and there is hereby appropriated from 2000 HOME Program Funds the sum of \$529,800, or so much thereof as may be necessary, to fund the development of affordable housing by CHDO's under the HOME Program.

Section 3. The authorization and appropriation made in Ordinance No. 99-344 for funding under the HOME Program for operating expenses of designated CHDO's is hereby reduced by the sum of \$60,000, which amount is reappropriated herein.

Section 4. There is hereby appropriated from 1998 HOME Program Funds the sum of \$19,500, and there is hereby appropriated from 2000 HOME Program Funds the sum of \$116,600, or so much thereof as may be necessary, to fund operating expenses of designated CHDO's.

Section 5. The Mayor is hereby further authorized to enter into such agreements as may be necessary to implement the reduction authorized herein and provide for the operating expenses for designated CHDO's.

Section 6. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Resolution No. 2001-1
Re: Appointment - RPL Board of Trustees

Transmitted herewith for your approval is legislation confirming the appointment or reappointment of the following persons to the Board of Trustees of the

Rochester Public Library.

Appointment: Randall Peacock
212 Inglewood Drive

Reappointment: Henry French
78 Smith Road

Kate Parsons
8 East Boulevard

Mr. Peacock will replace Rita Hillengas, whose term has expired. Mr. Peacock's term will extend through December 31, 2004. A copy of his resume is on file in the Office of the City Clerk.

The original appointment of Mr. French, who serves as liaison to the Reynolds Library Board, was confirmed by the City Council on December 8, 1992; his reappointment was confirmed by the Council on December 12, 1995. Ms. Parsons appointment was confirmed by the Council on March 16, 1999. Following is a summary of their attendance.

	<u>Meetings</u>	<u>Meetings Attended</u>
French	80	73
Parsons	16	12

Their reappointments will extend through December 31, 2005.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Resolution No. 2001-1
(Int. No. 34)

Resolution Approving Appointment And Reappointments To The 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 appointment of the following individual to the Rochester Public Library Board of Trustees for a term, which shall expire on the following date:

Randall Peacock December 31, 2004
212 Inglewood Drive

Mr. Peacock will replace Rita Hillengas, whose term has expired.

Section 2. The Council hereby approves the reappointments of the following individuals to the Rochester Public Library Board of Trustees for terms which shall expire on the following dates:

Henry French December 31, 2005
78 Smith Road

Kate Parsons December 31, 2005
8 East Boulevard

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-29

Re: Agreement - 200 East Avenue
Associates, Hallman's Development
Project

Transmitted herewith for your approval is legislation authorizing an agreement with 200 East Avenue Associates, LP (Home Properties) for reimbursement of the costs of environmental remediation of the former Hallman's property, the site of the Chevy Place housing development. The maximum cost of this agreement will be \$188,000, which will be financed from Community Development Block Grants and City Development Funds.

Acquisition of the property by the City, in anticipation of the housing development, was authorized by the City Council on July 23, 1996. At the time of acquisition, the estimated cost of environmental remediation of the property was \$292,600. The purchase price for the property was adjusted by this amount.

Sale of the property to 200 East Avenue Associates was authorized by the Council on July 22, 1997. Under the terms of the sale, the City agreed to reimburse 200 East Avenue Associates for the cost of remediation not completed at the time of transfer of the property.

Prior to the transfer, the City incurred costs totaling \$253,820 for remediation services provided by Day Environmental, Inc. After the transfer, 200 East Avenue Associates incurred additional expenses of \$188,000 for other remediation services.

The remediation performed was consistent with the City's voluntary clean-up agreement with the NYS Department of Environmental Conservation. The costs for which reimbursement has been requested have been reviewed and approved by the Environmental Quality unit of the Department of Environmental Services.

A portion of the proposed reimbursement will require amendment of the 1995-96 and 1996-97 Community Development Block Grants. A public hearing on the amendments is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-29
(Int. No. 22)

**Authorizing Amendatory 1995-96 And 1996-97
Community Development Program Plans And
1995-96 And 1999-2000 City Development Funds
And An Agreement For The Hallman Development
Project And Amending Ordinance No. 96-229**

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

Section 1. The Council hereby approves an amendment to the 1995-96 Community Development Program Plan whereby, within the Improving the Housing Stock and General Property Conditions Allocation, the Housing Studies Account shall be reduced by the sum of \$30,000 and said amount shall be transferred to a new account for environmental remediation reimbursement for the Hallman Development Project.

Section 2. The Council hereby approves an amendment to the 1995-96 City Development Fund whereby, within the Improving the Housing Stock and General Property Conditions Allocation, the Market Rate Housing Account shall be reduced by the sum of \$25,008 and said amount shall be transferred to a new

account for environmental remediation reimbursement for the Hallman Development Project.

Section 3. The Council hereby approves an amendment to the 1996-97 Community Development Program Plan whereby, within the Improving the Housing Stock and General Property Conditions Allocation, the Housing Occupancy Initiative Account shall be reduced by the sum of \$1,000 and said amount shall be transferred to a new account for environmental remediation reimbursement for the Hallman Development Project.

Section 4. The Council hereby approves an amendment to the 1996-97 Community Development Program Plan whereby, within the Improving the Housing Stock and General Property Conditions Allocation, the Downtown Housing Development Account shall be reduced by the sum of \$122,419 and said amount shall be transferred to a new account for environmental remediation reimbursement for the Hallman Development Project.

Section 5. The Council hereby approves an amendment to the 1999-2000 City Development Fund whereby, within the Improving the Housing Stock and General Property Conditions Allocation, the HOME Program Local Match Account shall be reduced by the sum of \$9,573 and said amount shall be transferred to a new account for environmental remediation reimbursement for the Hallman Development Project.

Section 6. The Mayor is hereby further authorized to enter into an agreement with 200 East Avenue Associates for environmental remediation reimbursement as a part of the Hallman Development Project.

Section 7. The agreement shall obligate the City to pay an amount not to exceed \$188,000, and of said amount, or so much thereof as may be necessary, \$30,000 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1995-96 Community Development Program, \$25,008 shall be funded from the 1995-96 City Development Fund, \$123,419 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1996-97 Community Development Program and \$9,573 shall be funded from the 1999-2000 City Development Fund.

Section 8. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 9. Ordinance No. 96-229, relating to the Hallman Development Project, is hereby amended by reducing the amount appropriated therein by the sum of \$120,419.

Section 10. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-30
Re: Official Map Amendment -
Bronson Avenue

Transmitted herewith for your approval is legislation amending the Official Map by changing the name of Bronson Avenue to Dr. Samuel McCree Way.

The name change was requested by the Zion Hill

Missionary Baptist Church, which is located at 250 Bronson Avenue and at which the late Dr. McCree served as pastor from April, 1982 to April, 2000, when he died. In addition, Dr. McCree was an educator and community activist.

There are 141 properties on the street, owned by 90 persons or organizations. Of the total, 18 properties are owned by the City. The owners of 52 of the remaining 123 properties submitted a petition in support of the name change.

The Planning Commission held an informational meeting concerning the name change on December 11, 2000; there were 15 speakers, all of whom supported the change. The Commission recommended by a vote of 5-1-1 that the change be approved.

The Monroe County Department of Transportation and the Emergency Communications Department have recommended that, as an alternative, the street be memorialized, similar in manner to the memorialization of Joseph Avenue as Rev. J. D. Jackson Way, which was approved by the City Council on August 22, 2000. The U.S. Postal Service has expressed concern about the effect upon delivery service of the length of the proposed new name.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the proposed name change will not have a significant effect upon the environment since it is a Type II action. A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-10

Ordinance No. 2001-30
(Int. No. 23)

Renaming Bronson Avenue As Dr. Samuel McCree Way

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 renaming Bronson Avenue as Dr. Samuel McCree Way.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilman Norwood moved to discharge Introductory No. 455 from committee.

The motion was seconded by Councilman Douglas.

The motion was adopted by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Stevenson, Thompson - 7.

Nays - Councilman Mains - 1.

Introductory No. 455 was introduced December 19, 2000, and appears in its original form with its transmittal letter on page 354 of the 2000 Council

Proceedings.

Councilman Norwood moved to amend Introductory No. 455.

The motion was seconded by Councilman Douglas.

The motion was adopted unanimously.

Ordinance No. 2001-31
(Int. No. 455, As Amended)

Authorizing Amendatory 1999-2000 And 2000-01 Community Development Program Plans For Float Loans And Funding For The HUD Asset Control Area Partnership Program, Authorizing Agreements And The Sale Of Real Estate

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

Section 1. The Council hereby approves an amendment to the 2000-01 Community Development Program whereby the sum of \$1,000,000 shall be added to the Improving the Housing Stock and General Property Conditions Allocation in a new account for a float loan to fund a capital loan pool to be utilized by the Rochester Housing Development Fund Corporation for the acquisition from the City of HUD foreclosed properties as a part of the HUD Asset Control Area Partnership (ACAP) Program and the rehabilitation and resale of said properties.

Section 2. The Council hereby approves an amendment to the 2000-01 Community Development Program whereby the sum of \$405,000 shall be added to the Improving the Housing Stock and General Property Conditions Allocation in a new account for a float loan to fund an interest reserve account for the capital loan pool to be utilized by the Rochester Housing Development Fund Corporation for the acquisition from the City of HUD foreclosed properties as a part of the ACAP Program and the rehabilitation and resale of said properties.

Section 3. The Council hereby approves an amendment to the 2000-01 City Development Fund whereby the sum of \$800,000 shall be added in a new account for a float loan to fund a loss reserve account for the capital loan pool to be utilized by the Rochester Housing Development Fund Corporation for the acquisition from the City of HUD foreclosed properties as a part of the ACAP Program and the rehabilitation and resale of said properties.

Section 4. The Mayor is hereby authorized to enter into agreements to establish and participate in the Rochester Housing Development Fund Corporation and loan pool and accounts authorized herein. [The Mayor is hereby further authorized to enter into agreements with the Rochester Housing Development Fund Corporation and/or the Chase Manhattan Bank for the float loans authorized herein. The float loans shall be for a term not to exceed two years, without interest.]

Section 5. The Council hereby approves an amendment to the 1999-2000 Community Development Program Plan whereby within the Improving the Housing Stock and General Property Conditions Allocation the sum of \$56,000 shall be transferred from the Demolition Account, \$4,000 shall be transferred from the Landlord/Tenant Services Account, \$108,000 shall be transferred from the Sector 10 Rehab Account and \$20,000 shall be transferred from the Sector 3 SBA Rehab Account, to a new account for the Roch-

ester Housing Development Fund Corporation for the operation of ACAP Program.

Section 6. The Mayor is hereby authorized to enter into an agreement with the Rochester Housing Development Fund Corporation for operating funds to support the acquisition of HUD foreclosed properties from the City as a part of the ACAP Program and the rehabilitation and resale of said properties.

Section 7. The agreement shall obligate the City to pay an amount not to exceed \$188,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 1999-2000 Community Development Program.

Section 8. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 9. [The Council hereby further approves the resale of residential real estate through the ACAP Program to the Rochester Housing Development Fund Corporation without further Council approval.

Section 10.] This ordinance shall take effect immediately.

Bracketed material deleted.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Introductory No. 30 and
Introductory No. 31
Re: City Code Amendments

Transmitted herewith for your approval is legislation amending the City Code. These amendments will:

1. Require an applicant for an entertainment center license, sexually oriented business license or Certificate of Use to complete a training program concerning code requirements relating to operation of a business; and
2. Prohibit street vending between 11:00 p.m. and 7:00 a.m. except at authorized events on July 4 or New Year's Eve.

In June, 1999, an Entertainment Task Force was appointed to address various concerns about operation of entertainment establishments within the city. The Task Force included representatives of entertainment establishments, patrons, neighbors of the establishments and City staff.

In January, 2000, the Task Force presented its report, which contained 21 recommendations. Among these recommendations were:

1. City-sponsored training prior to the issuance or renewal of a Certificate of Use, Entertainment, Amusement and other appropriate licenses; and
2. Regulation of the hours of operation of street vendors.

The first recommendation resulted from a finding by the Task Force that "no one is clear where the responsibilities of establishment operators begin and end". The second recommendation resulted

from a finding that street vending is "...identified as a problem by both establishment operators and enforcement staff".

Street vendors often locate near entertainment establishments because of the number of people who patronize these establishments. Because they usually continue to operate even after the establishments close, many of the patrons congregate around the vending carts after leaving the establishments, which usually results in noise and trash and debris.

The proposed amendments to the City Code are based upon the findings and recommendations of the Task Force. They are intended to assist the operators of entertainment establishments in understanding their responsibilities and to reduce the adverse effects that street vending sometimes has on neighborhoods.

The training will involve the distribution of educational materials and approximately 3-4 hours of instruction by personnel from the Police and Law Departments and Neighborhood Empowerment Team. The training will be provided at least quarterly.

Because of expected frequency of the training, conditional - upon the subsequent completion of the training - licenses of three months duration will be authorized. Completion of the training will be required at

the time of the initial license application and every five years thereafter.

Completion of the training will be a requirement not only for operators of entertainment establishments but also for operators of sexually oriented businesses and the operators of businesses that are required to have Certificates of Use, which are as follows:

1. Restaurants and bars
2. Drug stores
3. Food stores with less than 25,000 square feet

The extension of the training requirement to operators of sexually oriented businesses will, among other things, ensure that they are familiar with the provisions of the recent amendments to the City Code, which were approved by the City Council on September 19, 2000. The extension of the training requirements to all applicants for Certificates of Use reflects similar assertions by the operators of the applicable businesses that their rights and responsibilities under section the City Code are unclear.

The hours of operation specified for street vending are similar to those that are specified for operation of businesses in zoning districts with C-1 Neighborhood Commercial classifications. The penalties for violation of the proposed provision will be the same as those for violations of other provisions of the street vending regulations, which are:

	Initial Penalty	Penalty Upon Default
First Offense	\$25	\$50
Second Offense	35	70
Third and Subsequent Offense	65	130

The amendment relating to street vending will become effective on February 1.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Introductory No. 30

**AMENDING THE MUNICIPAL CODE WITH
RESPECT TO HOURS OF OPERATION OF SO-
LICITORS AND COMMERCIAL TRAVELERS**

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

Section 1. Section 62-6 of the Municipal Code, General regulations, as amended, is hereby further amended by adding thereto the following new subsection A(20):

- (20) Engage in business as a commercial traveler or solicitor, or sell or offer for sale goods, services or merchandise in the public streets, sidewalks or public places between the hours of eleven o'clock p.m. and seven o'clock a.m. on the following day, except at authorized special events for the Fourth of July and New Year's Eve.

Section 2. This ordinance shall take effect on February 1, 2001.

Held in committee.

Introductory No. 31.

**AMENDING THE MUNICIPAL CODE WITH
RESPECT TO REQUIRED TRAINING FOR
THE HOLDERS OF CERTAIN CITY CERTIFI-
CATES AND LICENSES**

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

Section 1. Chapter 29 of the Municipal Code, Amusements, as amended, is hereby further amended by adding thereto the following new Section 29-14.1:

Section 29-14.1. Required training.

An applicant for an entertainment center license, or a renewal thereof which occurs every five (5) years after an initial application, shall satisfactorily complete a training program provided by the City on laws and code requirements relating to the operation of businesses, and the responsibilities of licensees. Such training shall be provided at least quarterly by the City and shall be at no charge to the licensee. Such training shall be completed before the license is granted, or if the training is not completed at that time, a conditional license shall be granted which shall automatically expire three (3) months from the date of issuance if the training has not been completed. For licenses effective beginning February 1, 2001, a conditional license shall be granted which shall automatically expire six (6) months from the date of issuance if the training has not been completed. For persons holding licenses at the time of adoption of this requirement, the initial application shall be considered the first renewal which occurs on or after February 1, 2001.

Section 2. Article II of Chapter 90 of the Municipal Code, Business Certificates of Use, is hereby amended by adding thereto the following new Section 90-36.1:

Section 90-36.1. Required training.

An applicant for a certificate of use shall satisfactorily complete a training program provided by the City on laws and code requirements relating to the operation of businesses, and the responsibilities of certificate holders. Such training shall be provided at least quarterly by the City and shall be at no charge to the certificate holder. Such training shall be completed before the certificate of use is granted, or if the training is not completed at that time, a conditional certificate shall be granted which shall automatically expire three (3) months from the date of issuance if the training has not been completed.

Section 3. Chapter 98 of the Municipal Code, Sexually Oriented Businesses, is hereby amended by adding thereto the following new Section 98-10.1:

Section 98-10.1. Required training.

An applicant for a sexually oriented business license, or a renewal thereof which occurs every five (5) years after an initial application, shall satisfactorily complete a training program provided by the City on laws and code requirements relating to the operation of businesses, and the responsibilities of licensees. Such training shall be provided at least quarterly by the City and shall be at no charge to the licensee. Such training shall be completed before the license is granted, or if the training is not completed at that time, a conditional license shall be granted which shall automatically expire three (3) months from the date of issuance if the training has not been completed. For licenses effective beginning February 1, 2001, a conditional license shall be granted which shall automatically expire six (6) months from the date of issuance if the training has not been completed.

Section 4. This ordinance shall take effect on February 1, 2001.

Held in committee.

By Councilmember Mains
January 16, 2001

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 24 - Cancellation Of Taxes And Charges

Int. No. 25 - Authorizing The Director Of Finance To Cancel Real Property Taxes Or Charges Of \$1,000 Or Less

Int. No. 26 - Establishing \$28,000 As Maximum Compensation For A Professional Services Agreement For State Lobbying Services

Int. No. 28 - Establishing Maximum Compensation For A Professional Services Agreement For Labor Negotiations Services

Int. No. 32 - Resolution Appointing Temporary Members To The Board Of Assessment Review

Int. No. 362A - Amending The City Code To Adopt Guidelines For Wage Rates For The Employees Of Companies Awarded Service Contracts And Business Assistance, As Amended

Int. No. 35 - Resolution On A Policy For Business

Assistance Programs

Int. No. 408 - Authorizing An Agreement For Operation Of The Mortimer Street Parking Garage, As Amended

The Jobs, Finance, and Governance Committee recommends for consideration the following entitled legislation:

Int. No. 40 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$25,000,500 Bonds Of Said City To Finance The Cost Of Construction And Renovation Of Various Public School Buildings Within The City

Respectfully submitted,
Tim O. Mains
Brian F. Curran
Nancy K. Griswold
Lois J. Giess
Gladys Santiago
JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-32
Re: Cancellation Or Refund Of Taxes
And Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$13,400. This amount relates to code violation charges on two properties that occurred prior to the acquisition of the properties by their present owners.

If these cancellations are approved, total cancellations during 2000-01 will be \$238,009.29.

	<u>Accounts</u>	<u>Amounts</u>
City Council	22	
\$196,393.56		
Administrative	146	
41,615.73		
Total	168	
\$238,009.29		

These cancellations represent .12% of the taxes receivable as of July 1, 2000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-32
(Int. No. 24)

Cancellation Of Taxes And Charges

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

Section 1. The City Treasurer is authorized to cancel the following City taxes and charges:

- (a) Housing Code Violation charges on the following properties are to be cancelled due to improper notice to new owner or by agreement with HUD prior to transfer of the property.

	Tax	Amount

<u>SBL#</u> <u>Address</u>	<u>Class</u>	<u>Year</u>	<u>Cancelled</u>
107.610-0002-020 219 Grand Avenue	H	2001	\$12,200.00
136.400-0002-007 <u>1,200.00</u> 435 Highland Ave.	H	2001	-
	Total		\$13,400.00

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2001-33
Re: Authorization - Tax Cancellations
and Refunds

Transmitted herewith for your approval is legislation authorizing the Director of Finance to cancel or refund certain erroneous ad valorem taxes, charges and fees during 2001.

Each year, approximately 65,800 tax bills are issued by the City. In 1999-00 the most recently completed fiscal year, these bills contained City and School taxes, charges and fees totaling \$175,014,817.46. Of this amount, taxes and charges totaling \$986,279.85 or .56% of the total levy, subsequently were determined to be erroneous and were cancelled. These cancellations involved 536 accounts or .82% of the total number.

Pursuant to Section 556 of the N.Y.S. Real Property Tax Law, the City Council is required to approve all cancellations. Under the provisions of Chapter 383 of the Laws of 1984, however, it may delegate to the Director of Finance the authority to approve such cancellations, under certain conditions. Such delegation was initially approved by the Council on March 24, 1987 and was most recently approved on January 18, 2000. As a result of this latter delegation, through November 28, 2000, the Director of Finance authorized cancellations totaling \$52,495.98 for 214 accounts.

Under Chapter 515 of the Laws of 1997, the maximum authorized to be canceled administratively is \$2,500. On January 19, 1999, the Council authorized the Director of Finance to cancel charges up to \$1,000 for calendar year 1999.

Reapproval of this delegation of authority is requested for 2001. As you are aware, the purpose of such delegation is to reduce the amount of time required to correct a taxpayer's account and, in some instances, to issue a refund.

The following conditions will continue to be applicable:

1. A report summarizing all cancellations approved by the Director of Finance during any month will be submitted to the Council by the fifteenth day of the subsequent month; and

2. The total cancellations approved by the Director for any fiscal year will not exceed the amount of the tax reserve (provision for uncollected or delinquent amounts) established by the Council for that year.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-33
(Int. No. 25)

Authorizing The Director Of Finance To Cancel Real Property Taxes Or Charges Of \$1,000 Or Less

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

Section 1. The Director of Finance is hereby authorized to approve the cancellation of real property taxes and/or charges or fees added to taxes subject to the following conditions:

- a. The amount to be cancelled for any year for any particular account shall be \$1,000 or less;
- b. A report summarizing all cancellations approved by the Director during any month shall be submitted to the City Council by the 15th day of the subsequent month; and
- c. The total amount of cancellations approved by the Director for any fiscal year shall not exceed the amount of tax reserve (provisions for uncollected or delinquent amounts) established by the City Council for that year.

Section 2. This ordinance shall be in effect for calendar year 2001.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-34
Re: Agreement - Kevin Cleary Government Relations, State Lobbying Services

Transmitted herewith for your approval is legislation authorizing an agreement with Kevin Cleary Government Relations, LLC, of Albany, for continued provision of state lobbying services. The maximum cost of this agreement will be \$28,000, which will be financed from the 2000-01 budget of the Office of the Mayor.

Mr. Cleary has provided lobbying services for the City since 1995. The most recent agreement for such services was authorized by the City Council on December 14, 1999.

Under the proposed agreement, Mr. Cleary will continue to provide lobbying services during 2001. Specifically, he will:

1. Present and explain the City's legislative proposals to the City's representatives, committee chairpersons and Senate and Assembly leaders;
2. Arrange for the introduction of specific bills, their consideration by the appropriate committees and the Senate and Assembly and their approval by the Governor;

3. Identify and review all other bills that could affect the City and, as directed by the City, present comments concerning these bills;
4. Review the annual State budget with respect to its effect upon the City;
5. Arrange and coordinate any necessary meetings between State and City officials;
6. Coordinate the above activities with the NYS Conference of Mayors and other "Big 6" cities, as necessary; and
7. Provide general advice on legislative matters.

The fee for these services will be \$1,000 more than the fee during 2000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-34
(Int. No. 26)

Establishing \$28,000 As Maximum Compensation For A Professional Services Agreement For State Lobbying Services

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

Section 1. The sum of \$28,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Kevin Cleary Government Relations, LLC, for State lobbying services. Said amount shall be funded from the 2000-01 Budget of the Office of the Mayor.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-35
Re: Agreement - Daniel Wissman, Labor Negotiations Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Daniel Wissman, 198 San Gabriel Drive, for labor negotiation services. The maximum cost of this agreement will be \$25,000, which will be financed from the 2000-01 Undistributed Expense budget.

Mr. Wissman was employed by the City from 1970 to December 31, 2000, when he retired. He served as the Manager of Labor Relations from 1986 to the latter date.

Recruitment of a new director has begun. However, it is unlikely that a new manager will be appointed for several weeks.

The current collective bargaining agreement with the Police Locust Club expires on June 30, 2001. In anticipation of such expiration, negotiations relating to a new agreement are scheduled to begin in January.

Under an agreement to be executed early in January, Mr. Wissman will assist the City in preparing for the negotiations, as well as assist in the resolution of Locust Club grievances. Mr. Wissman obviously was selected because of his familiarity with the Police collective bargaining agreement and the associated issues.

Under the proposed amendatory agreement, Mr. Wissman will continue to assist the City, as needed, during negotiations. Mr. Wissman's fee will continue to be \$75 per hour.

If the amendatory agreement is approved, the maximum cost of the agreement with Mr. Wissman will increase to \$35,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-35
(Int. No. 28)

Establishing Maximum Compensation For A Professional Services Agreement For Labor Negotiations Services

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

Section 1. The sum of \$25,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Daniel Wissman for labor negotiations services. Said amount shall be funded from the 2000-01 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Resolution No. 2001-2
Re: Temporary Appointments -
Board of Assessment Review

Transmitted herewith for your approval is legislation appointing the following individuals to serve as temporary members of the Board of Assessment Review:

Lyle J. Biddle 172 Salisbury Street Rochester, NY 14609	Ruth E. Brooks 104 Melrose Street Rochester, NY 14619
James P. Donlon 286 Averill Avenue Rochester, NY 14620	Thomas Lewis 1394 North Street Rochester, NY 14621
Eileen M. Mance 95 Merriman Street Rochester, NY 14607	Pamela Robinson 858 Arnett Boulevard Rochester, NY 14619
Justin Underwood 91 Jewel Street Rochester, NY 14621	Joe A. Ware, Sr. 496 Lakeview Park Rochester, NY 14613

Each year, a need arises for more review panels than can be provided by the existing five-member board. State law permits appointing a number of temporary panelists up to two times the membership of the per-

manent board, or a maximum of ten panelists. The City Assessor anticipates that eight panelists would be sufficient for the workload in the coming cycle.

The eight temporary members would each serve for one year and would receive the same compensation rate as permanent board members. Hearings would be conducted by panels of three members each, drawn from the pool of thirteen. Each panel would have a minimum of one permanent Board member who would serve as its Chair.

The City successfully utilized three-member assessment review panels during the revaluations of 1984, 1986, 1990, 1996, and 2000 as well as during the intervening years. As in the past, all panel decisions would be reviewed by the permanent Board in executive session. The Board of Assessment Review would have the option of accepting or modifying a panel's decision or, if necessary, scheduling a second hearing with the property owner and the Assessor to reexamine the facts and testimony.

Approval of the appointments is required at this time to allow members to receive mandatory training by the County before hearings begin in March. The appointment of additional board members will have no impact on the City's budget.

Respectfully submitted,
Lois J. Giess
President

Resolution No. 2001-2
(Int. No. 32)

Resolution Appointing Temporary Members To The Board Of Assessment Review

Section 1. The Council hereby appoints the following persons to serve as temporary members of the Board of Assessment Review during 2001:

Lyle J. Biddle 172 Salisbury Street Rochester, NY 14609	Ruth E. Brooks 104 Melrose Street Rochester, NY 14619
James P. Donlon 286 Averill Avenue Rochester, NY 14620	Thomas Lewis 1394 North Street Rochester, NY 14621
Eileen M. Mance 95 Merriman Street Rochester, NY 14607	Pamela Robinson 858 Arnett Boulevard Rochester, NY 14619
Justin Underwood 91 Jewel Street Rochester, NY 14621	Joe A. Ware, Sr. 496 Lakeview Park Rochester, NY 14613

Section 2. The temporary members of the Board of Assessment Review shall be compensated in the same amount and manner as permanent Board members.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:
Ladies and Gentleman:

Ordinance No. 2001-36 and
Resolution No. 2001-3
Re: Living Wage Ordinance

Transmitted herewith for your approval are a series of amendments to Int. 362, the proposed Living Wage

ordinance, and a companion policy resolution regarding the City's job creation efforts. On September 22, I introduced the Living Wage legislation in an effort to ensure that people who are doing business with the City are paying wages that enable their employees to live above the federally-defined poverty level. At that time, numerous questions were raised about the potential impact of the proposal, and the Jobs, Finance & Governance Committee held the item for further study.

During the intervening months, and following extensive public testimony, substantial discussions have taken place among Councilmembers, the City Administration, and representatives of a local coalition of labor, religious, and community groups that is part of a national movement to promote the Living Wage concept. The discussions, and the attached amendments, focused on two major areas: technical revisions and the impact of the proposal on the City's business assistance programs.

The technical areas involved the need to clarify and elucidate several complex and subtle definitions that are involved in the proposal. These include exclusions for seasonal and casual employees, and recognition of the provisions of the Fair Labor Standards Act for employees who earn a substantial portion of their wages in the form of tips. Further, there are clarifications that:

- the \$50,000 threshold is intended to cover a one-year period.
- multiple service contracts of less than \$50,000 for different services with the same contractor will not be aggregated to bring them under the purview of the law.
- service contracts for similar services may not be segmented so that the expenditure falls under the \$50,000 threshold, to avoid application of the law.
- when an amendatory agreement or additional agreement with a contractor causes the total expenditure for that particular service to exceed \$50,000 in one year, the law shall only apply to the amendatory or additional agreement.
- service contracts that include the retention of fees by a contractor in the amount of at least \$50,000 in one year are covered in the law.
- unit price contracts, e.g., towing services, where the city anticipates an expenditure of at least \$50,000, will also be covered.
- In recognition of the time lag in enacting this ordinance, changes are made in the effective date and the subsequent adjustment dates to July 1.

In the area of business assistance, there is concern that the imposition of the legislation on those businesses that the City is seeking to attract and/or retain may have the unintended consequence of discouraging the investment of those businesses in the City, and, conversely, encouraging them to locate in the surrounding towns. The local area functions as one market area, independent of municipal boundaries, and the intent of this legislation has never been to place the City at a disadvantage. Therefore, the proposed amendments will defer the effective date of this portion of the ordinance to such time as the County enacts substantially similar legislation.

The companion resolution enunciates the City Coun-

cil's policy position that the City's business assistance programs ought to concentrate on those job-creation and job-retention opportunities that pay wages at least at the level of the Living Wage. It further requests that the Administration gather data about the wage levels of those businesses that receive our assistance and issue a report on that data to the Council in June and December of each year. Finally, it requests that the Administration work with the other governmental entities within our labor market to ensure that the jobs created through public-sector efforts pay a living wage and that competition among municipalities be subordinated to the overall interests of the metropolitan community. The example that was set with the exemplary cooperation on the Corning project ought to be a model for future transactions.

I believe these amendments should allow us to move forward with this landmark legislation with full confidence that the positive benefits to the local workforce will far outweigh any temporary problems that may ensue from the required new wage schedules. As I noted in the past, the Renaissance 2010 Plan, our blueprint for the future of Rochester, implicitly endorses the concept of providing decent jobs that pay a living wage. These amendments will allow us to move toward that future with greater assurance that people hired with City funds will have the dignity of a living wage.

Respectfully submitted,
Brian F. Curran
Councilmember at Large

Introductory No. 362 was amended by substitution of Introductory No. 362A. The vote was adopted unanimously.

Ordinance No. 2001-36
(Int. No. 362A, As Amended)

Amending The City Code To Adopt Guidelines For Wage Rates For The Employees Of Companies Awarded Service Contracts And Business Assistance

WHEREAS, the City of Rochester awards millions of dollars in contracts for services, and loans and grants to assist business development each year that result in the creation or retention of a wide variety of employment opportunities;

WHEREAS, it is in the public interest for the City of Rochester to ensure that the City shall receive the greatest level of services and economic returns from contracts for services by ensuring that respondents to solicitations to bid offer compensation levels sufficient to ensure that workers hired are of high motivation and excellent quality in order to promote high productivity;

WHEREAS, these contracts, loans, and grants are paid for by taxpayer dollars and should be used to promote the creation of jobs that will increase city residents' income, decrease levels of poverty, support neighborhood businesses and reduce the need for taxpayer funded programs in other areas;

WHEREAS, according to the U.S. Department of Housing and Urban Development, the City of Rochester experienced an increase in the poverty rate between 1989 and 1995 from 23.5 percent to 28.3 percent, in spite of a national economic expansion that began in 1992; and, according to the 1990 U.S. census, 36 percent of the City's children live in poverty; and, according to the New York State Department of Education, 89.2 percent of the City's public school

children qualified for and participated in the federal free and reduced lunch program during the 1997-98 school year, a measure of low family income;

WHEREAS, the City of Rochester has outlined in its comprehensive plan "Rochester 2010: the Renaissance Plan", a commitment to promote economic and community development, with the overall intention of alleviating poverty and improving the quality of life for all its residents;

WHEREAS, the U.S. Department of Health and Human Services has established the 2000 poverty guideline for a family of four at \$17,050, which divided by a typical 2000 hour work year produces an hourly wage of \$8.52, demonstrating that the federal minimum-wage of \$5.15 is insufficient to adequately house, clothe, and feed such a family; and

WHEREAS, it is the belief of this Council that working families should not be forced to live in poverty and the City should not subsidize poverty level wages; and

WHEREAS, the City's Business Assistance Program is intended to create a more level playing field, enabling the City to compete fairly for job-creating businesses against surrounding towns within the area that do not have the problems of constrained sites and environmental contamination that often exist in older manufacturing areas, and

WHEREAS, the City cannot afford to be placed at a further competitive disadvantage as a result of mandatory higher wages that are not similarly required in the other jurisdictions within Monroe County.

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

Section 1. Chapter 8A of the Municipal Code, Purchasing and Property Management, is hereby amended by adding the following new Section 8A-18:

Section 8A-18. Rochester Living Wage Ordinance.

A. Title and Purpose.

This Section shall be known as the "Rochester Living Wage Ordinance". The purpose of this Section is to ensure that employees of substantial city contractors and subcontractors[, and recipients of substantial city business assistance loans and grants] earn an hourly wage that is sufficient for a family to live at or above the federal poverty guideline.

B. Definitions

The following definitions shall apply throughout this Section:

BUSINESS ASSISTANCE means any grant or loan of at least fifty thousand dollars (\$50,000.) realized by or through the authority or approval of the City, excluding welfare-to-work, job training or youth employment programs.

BUSINESS ASSISTANCE BENEFICIARY means any direct recipient of at least fifty thousand dollars (\$50,000.) of Business Assistance.

CASUAL EMPLOYEE means an occasional employee without regular or set hours, or an employee regularly working fewer than twenty (20) hours a week.

CITY means the City of Rochester.

CONTRACTOR means any person that enters into a service contract with the City except other governmental units.

COVERED EMPLOYEE means a person employed either part-time or full-time by the Covered Employer who directly expends [or would directly expend] his or her time on [the contract] a Service Contract with the City, for the time said person actually spends on the Service Contract, or a person employed either part-time or full-time by a Business Assistance Beneficiary at a workplace which has received Business Assistance from the City; provided, however, that persons who are employed in construction work covered pursuant to federal or state prevailing wage laws shall be exempt from this Section, as shall participants in welfare-to-work, job training or youth employment programs, and workers with disabilities, full-time students, messengers, learners, student-learners and apprentices for whom the Covered Employer has received a certificate to pay special minimum wages pursuant to Section 14 of the Federal Fair Labor Standards Act (FLSA)(29 U.S.C. 214). "Covered Employee" shall not include a Casual Employee or Seasonal Employee.

COVERED EMPLOYER means any person who is a contractor or subcontractor directly involved in providing a service to the City pursuant to a Service Contract as defined herein.

PERSON means one or more of the following or their agents, employees, representatives, and legal representatives: individuals, corporations, partnership, joint ventures, associations, labor organizations, educational institutions, mutual companies, joint-stock companies, trust, unincorporated organizations, trustees in bankruptcy, receivers, fiduciaries, and all other entities recognized at law by the City.

SEASONAL EMPLOYEE means an employee hired temporarily for a period not to exceed ninety consecutive (90) days at any given time within a six (6) month period.

SERVICE CONTRACT means (1) a contract awarded to a contractor by the City primarily for furnishing services to or for the City (excluding the purchase of goods or other property, [or] the leasing of property, or the development, redevelopment or rehabilitation of real property) and (2) that involves an expenditure by the City to the contractor of at least fifty thousand dollars (\$50,000), or the retention by the contractor of fees of at least fifty thousand dollars (\$50,000), during a period of one (1) year. Said \$50,000 threshold shall not include funds provided by the City to be passed through to eligible participants in Federal- or State-funded programs. For the purposes of this section "Service Contract" shall not include any contract awarded through competitive bidding pursuant to General Municipal Law Section 103. "Service Contract" shall include unit price contracts that are designated by the City, where, based on experience or expected level of work, the City anticipates an expenditure to the contractor of at least fifty thousand dollars (\$50,000) during a period of one (1) year. "Service Contract" shall not include separate contracts in amounts of less than fifty thousand dollars (\$50,000) with the same contractor for different services which may involve a total expenditure by the City to the contractor of more than fifty

thousand dollars (\$50,000) during a period of one (1) year. However, contracts may not be segmented to fall under the threshold, and multiple contracts with the same contractor for the same services shall be aggregated to determine the total expenditure for purposes of application of this Section. Where an amendatory agreement or additional agreement with the same contractor causes the total expenditure to exceed fifty thousand dollars (\$50,000) during a period of one (1) year, this Section shall apply to the amendatory agreement or additional agreement.

SUBCONTRACTOR means any person other than an employee that enters into a contract with a contractor to assist the primary contractor in performing a service contract, [and] including any temporary employment agency that enters into a contract with a contractor or Business Assistance Beneficiary to provide employees to assist the primary contractor in performing a service contract or to perform services for a Business Assistance Beneficiary at a workplace which has received Business Assistance from the City.

C. Living Wage

(1) Applicability.

Covered Employers and Business Assistance Beneficiaries shall pay no less than a Living Wage to their Covered Employees, which, for Covered Employees working on a Service Contract, shall be for the time directly expended on the Service Contract.

(2) Amount of Wage.

The Living Wage shall be calculated on an hourly basis as paying \$8.52 to Covered Employees who are offered health insurance benefits by the Covered Employer or Business Assistance Beneficiary and \$9.52 to Covered Employees who are not offered health insurance benefits by the Covered Employer or Business Assistance Beneficiary.

(3) Revision Process.

This Section shall be reviewed and evaluated two years after adoption in order to evaluate the effectiveness of the legislation in terms of its policy goals, and monitoring and enforcement procedures. The amount of the Living Wage shall be increased annually to reflect inflation as captured by the unadjusted Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, as published by the Bureau of Labor statistics of the U.S. Department of Labor. The first indexing adjustment shall occur [January] July 1, 2002, in proportion to the increase of the U.S. City Average of the CPI-U at the immediately preceding [October 31] April 30 over the year earlier [October 31] April 30; and shall be adjusted every [January] July 1 thereafter.

(4) No Reduction in Wage Rates or Hours.

Nothing in this Section shall require or authorize any Covered Employer or Business Assistance Beneficiary to reduce wages or work hours of any Covered Employee, and a Covered Employer or Business Assistance Beneficiary shall not reduce wages or work hours as a result of coverage by this Section, and this Section shall not be construed so as to [shall not] reduce wages [set by a collective bargaining agreement or] required under any

prevailing wage law.

(5) Notifying Employees of their Potential Right to the Federal Earned Income Credit.

Covered Employers and Business Assistance Beneficiaries shall inform employees making less than \$12 per hour of their possible right to the Federal Earned Income Credit (EIC) under Section 32 of the Internal Revenue Code of 1954, 26 U.S.C. 32, and shall make available to employees information about the EIC and how to obtain forms required to secure advance EIC payments from the employer.

(6) Tipped Employees.

Covered Employers who elect to receive credit for tips received by Covered Employees in accordance with the provisions of the FLSA may also include as wages under this Section an additional amount on account of tips received by a Covered Employee provided that the tip amount is at least equal to the difference between the wages paid the Covered Employee and the Living Wage. The additional amount on account of tips may not exceed the value of the tips actually received by the Covered Employee. This subsection shall not apply to any Covered Employee unless such employee has been informed by the Covered Employer that his or her direct wages shall be less than the Living Wage provided that the amount of tips plus direct wages received by such employee at least equals the Living Wage, and provided that all tips received by such employee have been retained by the employee. This subsection shall not be construed to prohibit the pooling of tips among employees who customarily and regularly receive tips. If a Covered Employee's tips combined with the Covered Employer's direct wages do not equal the Living Wage, the Covered Employer must make up the difference. It is the responsibility of the Covered Employer to prove, upon request by the City, the payment of at least a Living Wage in combined direct wages and tips to the Covered Employee. FLSA requirements shall be applied to determine eligibility for including tips as wages and calculating the total amount of wages and tips.

D. Employer Responsibility, Compliance and Sanctions.

(1) Application for Contract or Business Assistance.

Every proposal or application for a Service Contract or Business Assistance shall include a written commitment by the applicant to pay all Covered Employees a Living Wage as defined by this Section and shall include a list of job titles and wage levels of all Covered Employees in each of the years for which the Contract or Business Assistance is sought.

(2) Reports from Covered Employers and Business Assistance Beneficiaries.

Covered Employers and Business Assistance Beneficiaries shall provide to the City publicly available annual reports of job titles and wage rates of Covered Employees during the term of the Service Contract or Business Assistance. For Service Contracts or Business Assistance [contracts] of less than one year, Covered Employers and Business Assistance Beneficiaries shall provide such reports at the beginning and end of the contract or Business

Assistance.

(3) Compliance, Enforcement and Sanctions.

(a) Covered Employer and Business Assistance Beneficiary Cooperation. The Covered Employer or Business Assistance Beneficiary shall permit representatives from the City to observe the work being performed at its place of work; furthermore, the Covered Employer or the Business Assistance Beneficiary shall permit said representatives to interview employees and to examine its books and records relating to employment and payroll to determine if the Covered Employer or the Business Assistance Beneficiary is in compliance with the provisions of this Section. Covered Employers and Business Assistance Beneficiaries shall maintain for a period of at least three (3) years all necessary records to document the wages paid to each Covered Employee, and the time expended by each Covered Employee on a Service Contract.

(b) Posting.

Every Covered Employer and Business Assistance Beneficiary shall post and keep in conspicuous places on their premises, where notices to employees and applicants for employment are customarily posted, a notice supplied by the City informing employees of their rights under this Section. Included in this posting shall be a phone number at the City that Covered Employees may call to lodge complaints. If the Covered Employer or Subcontractor is a temporary employment agency, this notice shall be mailed to all Covered Employees before or in conjunction with the receipt of the Covered Employees' first paycheck.

(c) Grievance Procedure.

A Covered Employee who believes that his or her employer is not complying with requirements of this Section has the right to file a complaint with the City. Complaints by Covered Employees of alleged violations shall be made within [three] one year[s] of the date of the violation and shall be investigated promptly by the City. Written and oral statements made by a Covered Employee shall be treated as confidential and shall not be disclosed to the Covered Employer or Business Assistance Beneficiary without the consent of the employee. While protection of the employee's confidentiality shall be a priority for the City, this provision shall not prevent the City from informing the Covered Employer of the name of the Covered Employee and the basis of the complaint in order access information necessary to investigate the complaint.

(d) Duties of the City

It shall be the responsibility of the City to create guidelines for investigating and handling grievances under this Section; to examine the pay rolls, as necessary, to determine compliance and cause investigations to be made, as necessary, to monitor compliance with the provisions of this Section.

The City shall promptly investigate complaints alleging non-compliance by Covered Employers and Business Assistance Beneficiaries. The Contracting Agency may, in accordance with the

powers herein granted, require the production by the employer of such evidence as required to determine compliance.

(e) Covered Employer or Business Assistance Beneficiary May Dispute Finding of Non-Compliance.

A Covered Employer or Business Assistance Beneficiary may dispute a finding of non-compliance by requesting a hearing with a representative of the City. A Covered Employer or Business Assistance Beneficiary must request such a hearing within sixty (60) days after receiving notice of a finding of non-compliance.

(f) Sanctions.

A Covered Employer or Business Assistance Beneficiary found to be in violation of any provision in this Section shall be sanctioned as follows:

(i) [First violation.] The City shall [W]ithhold payment of so much of any amount due in Business Assistance or on a Service Contract or on any other contract in effect with the same Covered Employer or Business Assistance Beneficiary which is equal to the alleged underpayment to a Covered Employee, order wage restitution for each affected employee, and serve a written notice of violation on the Covered Employer or Business Assistance Beneficiary.

(ii) [Second violation.] For willful or repeated violations, the City shall additionally [Withhold payment of any amount due, wage restitution for each affected employee,] impose a fine not to exceed one hundred dollars (\$100) per day on the Covered Employer or Business Assistance Beneficiary for each employee found to be paid less than the Living Wage, and may order the Covered Employer or Business Assistance Beneficiary to repay Business Assistance awarded by the City and any amounts paid on Service Contracts for services not yet rendered[,] terminate [ion of] ongoing Service Contracts or Business Assistance, and declare the Covered Employer or Business Assistance Beneficiary ineligible [ineligibility] for further City Service Contracts or Business Assistance for three (3) years, [and until all amounts are paid] after which time the Covered Employer or Business Assistance Beneficiary may be eligible for reinstatement if all underpayments and fines are paid.

All sanctions will be a matter of public record.

(g) Retaliation and Discrimination Barred.

A Covered Employer or Business Assistance Beneficiary shall not discharge, reduce compensation or otherwise discriminate against any employee because that employee made a complaint or otherwise asserted his or her rights under this Section, or participated in any of its proceedings. The Contracting Agency shall investigate allegations of retaliation or discrimination and shall, if found to be true, after notice and hearing, order appropriate relief, including restitution and reinstatement of the discharged employee with back pay to the date

of the violation.

(h) Enforcement.

The City or any person aggrieved by a violation of this Section may bring an action in any court of competent jurisdiction and in the event that the City or aggrieved person prevails in such action, the court may award damages and reasonable costs and attorney fees, and if said action is brought by an individual for underpayment of wages, the court shall also award said individual an additional amount as liquidated damages equal to twenty-five percent of the wages found to be due.

[(i) Nothing contained herein shall operate to affect or impair any existing Service Contracts or Business Assistance, except that any amendment or modification of such Service Contracts or Business Assistance occurring on or after the enactment of this Section shall be subject to the conditions specified in this Section.]

E. Exemptions.

(1) Service Contracts and Business Assistance in existence prior to the [enactment] effective date of this Section shall be exempt from this Section, except that any amendment or modification of such Service Contracts and Business Assistance occurring on or after the effective date of this Section shall be subject to the conditions specified in this Section.

(2) Welfare-to-work, youth employment programs, and job training programs shall be exempt from this Section as it relates to the pay scale of participating youth workers aged twenty-one (21) or younger, or to participants in a bona fide job-training program or welfare-to-work program.

(3) This Section shall not apply to Covered Employees compensated in accordance with the terms of a collective bargaining agreement.

F. Severability.

In the event any provision of this Section shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provisions hereof.

Section 2. The provisions of this ordinance that relate to Business Assistance and Business Assistance Beneficiaries shall take effect upon enactment of substantially similar legislation by Monroe County as determined by the Mayor; all other provisions of [T]his ordinance shall take effect [January] on July 1, 2001.

Bracketed material deleted; underlined material added.

Passed unanimously.

Resolution No. 2001-3
(Int. No. 35)

Resolution On A Policy For Business Assistance Programs

WHEREAS, the City of Rochester awards millions of dollars in loans and grants to assist business development each year that result in the creation or retention of a wide variety of employment opportunities, and

WHEREAS, these loans, and grants are paid for by taxpayer dollars and should be used to promote the creation of jobs that will increase city residents' income, decrease levels of poverty, support neighborhood businesses and reduce the need for taxpayer funded programs in other areas, and

WHEREAS, it is the belief of this Council that working families should not be forced to live in poverty and the City should not subsidize poverty level wages, and

WHEREAS, the ongoing evaluation of the effectiveness of such programs requires detailed information on the wages paid to the employees of the assisted businesses, and

WHEREAS, the continued economic vitality of this region depends on successful cooperation rather than destructive competition among its many jurisdictions, with an emphasis on decent wages for those receiving taxpayer assistance.

Therefore Be It Resolved By The City Council of Rochester as follows:

Section 1.

1. It shall be the policy of the City of Rochester to promote the creation of employment opportunities for residents of the City and to emphasize in its business assistance programs the creation of jobs that pay at least a living wage as defined in the City Code.
2. The Council recommends that the City Administration give priority in all business assistance programs to those projects and businesses that can reasonably be expected to create jobs that pay at least a living wage.
3. The Council requests that the City Administration collect data from all recipients of business assistance loans or grants with value of \$50,000 or greater, showing the number of jobs created or retained and the wage levels of those jobs, and to report such data to the Council in June and December of each year.
4. The Council further requests the City Administration to communicate with Monroe County, the County of Monroe Industrial Development Agency, and other local governments to develop community-wide policies for economic development programs and policies that will encourage the creation and retention of jobs that pay at least a living wage, and that will discourage destructive competition among municipalities within our integrated market area.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

Introductory No. 408 was introduced November 14, 2000, and appears in its original form with its transmittal letter on page 333 of the 2000 Council Proceedings.

Attachment No. Z-122

Ordinance No. 2001-37
(Int. No. 408, As Amended)

**Authorizing An Agreement For Operation Of
The Mortimer Street Parking Garage**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Donatelli, Inc., d/b/a Ralph Parking Company, for the operation of the Mortimer Street Parking Garage for a period of one year, with an option to renew for two additional one-year periods. The operator shall be responsible for providing all personnel required to operate the garage, including cashiers, security guards and maintenance staff. The operator shall also be responsible for all costs associated with utilities, special assessments, materials and supplies, contractual services and insurance.

Section 2. The agreement shall obligate Donatelli to pay the City the sum of \$[120,000] 113,000 annually.

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.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-38
Re: Bond - City School District

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$25,000,500 and appropriating the proceeds thereof to finance the costs of renovation or acquisition of various school facilities. This legislation was requested by the Board of Education on August 21, 2000.

The proposed bond issue will finance the costs of the following projects:

Renovation of existing facilities	\$23,280,500
Acquisition of new facilities	<u>1,720,000</u>
Total	\$25,000,500

The renovation of existing facilities will include improvements to 25 elementary schools, three middle schools, six high schools, central administration building and service center. As indicated in the attachment, the renovations at Benjamin Franklin High School will involve only window replacement and will not involve modifications relating to the planned reorganization of the school.

The acquisition of new facilities will involve the Bevier Building at 42 S Washington Street, which is adjacent to the central administration building, and the Tutoring Center at 107-111 N. Clinton Avenue. The acquisition of the latter property, which is currently leased by the City School District, was approved by the City Council on October 17, 2000.

The proposed bond issue represents the total amount of debt to be authorized for the District during 2000-01.

Respectfully submitted,
William A. Johnson, Jr.

Mayor

Attachment No. AA-11

Ordinance No. 2001-38
(Int. No. 40)

**Bond Ordinance Of The City Of Rochester, New
York, Authorizing The Issuance Of \$25,000,500
Bonds Of Said City To Finance The Cost Of
Construction And Renovation Of Various Public
School Buildings Within The City**

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 construction and renovation of various public school buildings within the City. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$25,000,500, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$25,000,500 bonds of the City, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$25,000,500 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 \$25,000,500. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The existing buildings are of Class "A" construction as defined by Section 11.00 a.11.(a) of the Local Finance Law, and the period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.12.(a)(1) of the Law, is twenty (20) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in the 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. The proceeds of these bonds shall be appropriated to pay the cost of such purpose on the condition subsequent that State aid paid to the City or the City School District with respect to such bonds applied solely to meet debt service on such bonds shall not invalidate any obligations issued pursuant to this ordinance or any appropriation of proceeds of such bonds made pursuant to this ordinance.

Section 9. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record", a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Stevenson, Thompson - 8.

Nays - None - 0.

Councilman Curran moved to discharge Introductory No. 442 from committee.

The motion was seconded by Councilman Norwood.

The motion was adopted by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Stevenson, Thompson - 7.

Nays - Councilman Mains - 1.

Introductory No. 442 was introduced December 19, 2000, and appears in its original form with its transmittal letter on page 362 of the 2000 Council Proceedings.

Councilman Curran moved to amend Introductory No. 442.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Ordinance No. 2001-39
(Int. No. 442, As Amended)

Amending The Municipal Code With Respect To The Control Of Dogs

WHEREAS, the Council finds that bites of persons by loose dogs in the City, including several very serious bites, have caused significant public safety concerns; and

WHEREAS, the Council finds that all loose dogs are potentially dangerous dogs that pose a risk to other members of the community through dog bites, through placing community members, especially children, in fear, or by causing accidents; and

WHEREAS, the Council wishes to take proactive action to educate dog owners to the dangers of dogs running loose and to impose greater penalties and restrictions upon owners of stray and dangerous dogs in order to prevent further injuries to members of the community.

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

Section 1. Chapter 31 of the Municipal Code, Dog Control, as amended, is hereby further amended as follows:

A. Subsection 31-2, Definitions, is amended by amending the definition of DANGEROUS DOG by deleting the words "serious physical harm" where they appear in the first sentence of subsection B thereof and by inserting in their place the words "physical injury", and by deleting the words "severe injury" where they appear in the first sentence of subsection B(1) thereof and by inserting in their place the words "physical injury".

B. Subsection 31-2, Definitions, is amended by adding thereto the following new definitions where they should appear in alphabetical order:

PHYSICAL INJURY - Impairment of physical condition or substantial pain.

SERIOUS PHYSICAL INJURY - Physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.

C. Section 31-7, Dangerous dogs, is amended by adding thereto the following new sentence to the end of subsection B thereof:

Where the dog causes serious physical injury to a person; or where the owner has been found guilty

previously of a violation of Section 31-4 and a dog owned or harbored by that same individual bites a person; or where the dog has been previously found to be a dangerous dog and bites another person, the owner may be charged in accordance with Subsection F.

D. Subsection 31-7(D)(1) is amended by deleting the amount "\$250" where it is contained therein and by inserting in its place the amount "one thousand dollars (\$1,000.)."

E. Section 31-7 is amended by adding thereto the following new Subsection D(12):

(12) Marking or implanting identification. The Court shall require that all dangerous dogs be marked or implanted with an individual means of identification, in a form deemed most appropriate by Animal Control Services, if the immediate destruction of the dog is not ordered. This shall occur prior to the release of the dog from the Animal Control Center and shall be at the expense of the owner.

F. Subsection 31-7 is amended by renumbering subsection E as subsection G and by adding thereto the following new subsections E and F:

G. In addition to subsection D above, upon finding a dog to be a dangerous dog, whether or not the immediate destruction of the dog is ordered, the Court shall order the owner to attend and successfully complete, at the owner's expense, a class on dog ownership and responsibility as approved by the Animal Control Services. Failure to comply shall result in destruction of the dog and/or shall constitute a violation of this section by the owner and/or a contempt of court.

H. (1) No person who owns or harbors a dog shall suffer or permit the dog to cause serious physical injury to another person.

(2) No person who has been found guilty previously of a violation of Section 31-4 and who owns or harbors a dog shall suffer or permit the dog to cause physical injury to another person.

(3) No person who owns or harbors a dog that has been previously found to be a dangerous dog shall suffer or permit the dog to cause physical injury to another person.

(4) For purposes of (1), (2) and (3) above, the owner or harbored of a dog which causes serious physical injury or physical injury to another person shall be deemed to have suffered or permitted such dog to cause the injury by failure to properly leash, secure or control said dog.

(5) Notwithstanding the penalties established elsewhere in this Code, a person who violates this subsection F shall be guilty of a misdemeanor for which the penalty shall be a fine not to exceed one thousand dollars (\$1,000.) and/or imprisonment for a term not to exceed one (1) year.

I. Section 31-17, Penalties for offenses, is amended by renumbering subsection A(2) as subsection A(3) and by adding thereto the following new subsection A(2):

(2) Leash law violations (Section 31-4): [two hundred fifty dollars (\$250.).]

Penalty

	Initial Penalty	Upon Default
First offense:	\$100	\$ 200
Second offense:	250	500
Third and subsequent offense:	500	1,000

J. Section 31-20, Fees for dog licenses and dog control activities, is amended by amending subsection B(1) to read in its entirety as follows:

(1) The fees for redeeming any dog placed in the Animal Control Center shall be as follows:

(a) Fifty dollars (\$50.) for each seizure; plus

(b) A boarding fee of twenty dollars (\$20.) per day or any part thereof. There shall be no waiver of the boarding fee for a dog that is redeemed on the day of seizure.

K. There is hereby added a new Subsection 31-20(B)(4) to read in its entirety as follows:

(4) No stray dog shall be redeemed unless the person seeking the redemption first views a video at the Animal Control Center which educates dog owners on the need for responsible dog ownership by showing the dangers caused to the community by allowing dogs to run loose.

Section 2. This ordinance shall take effect on March 1, 2001.

Bracketed material deleted; underlined material added.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Stevenson, Thompson - 7.

Nays - Councilman Mains - 1.

The meeting was adjourned at 9:37 P.M.

CAROLEE A. CONKLIN
City Clerk

* * * * *

REGULAR MEETING
February 13, 2001

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Thompson - 7.

Absent - Norwood, Stevenson - 2.

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.

Recognition Ceremony

Retirement:

Isaac Carson, Police Department
Lawrence Fennessy, Police Department
Arthur Girvin, Fire Department
*Terrance Baker, Department of Environmental Services

*Will not be attending.

APPROVAL OF THE MINUTES
By Councilmember Thompson

RESOLVED, that the minutes of the Regular Meeting of January 16, 2001, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Administrative Cancellation or Refund of Erroneous Taxes and Charges. 3662-7
Homesteading Lottery - April 12, 2001. 3663-7
Quarterly Reports. 3664-7

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Local Improvement Ordinance - Retention Of Window Wells At 2263-2267 Clifford Avenue As A Part Of The Clifford Avenue Improvement Project
Int. No. 70 No speakers.

Authorizing Amendatory 1995-96 And 1996-97 Community Development Program Plans, Amending Ordinances And Appropriating Funds For The Commercial Loan Program Int. No. 60 No speakers.

Approving The Dedication Of Parcels For The Troup Street, Edgewood And Lambert Park Improvement Project Int. No. 7 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson
February 13, 2001

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 42 - Authorizing An Agreement With The New York State Department Of Transportation For Snow Removal

Int. No. 43 - Establishing \$26,800 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Pennsylvania Avenue Improvement Project

Int. No. 44 - Approving Agreements For Cemetery Services And Amending The 2000-01 Budget

Int. No. 65 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$672,000 Bonds Of Said City And The Application Of \$1,356,000 In Funds Received From The County Of Monroe And \$910 From The Rochester-Genesee Regional Transportation Authority To Finance The Cost Of Construction And Reconstruction Of Certain Streets Related To The Browncroft Boulevard And North Winton Road Improvement Projects

Int. No. 66 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$589,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The Browncroft Boulevard And North Winton Road Improvement Projects

Int. No. 67 - Authorizing Agreements And Appropriating Funds For The Browncroft Boulevard And North Winton Road Improvement Projects

Int. No. 73 - Establishing \$129,000 As Maximum Compensation For A Professional Services Agreement For Asbestos Management Services

Int. No. 72 - Establishing \$96,000 As Maximum Compensation For A Professional Services Agreement For Design And Construction Inspection Services For The University Avenue ArtWalk Project And Amending Ordinance No. 2000-194

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 68 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$736,000 Bonds Of Said City And The Application Of \$2,251,500 Received From The County Of Monroe To Finance The Cost Of Construction And Reconstruction Of Certain Streets Related To The Clifford Avenue Improvement Project

Int. No. 69 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$536,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The Clifford Avenue Improvement Project

Int. No. 70 - Local Improvement Ordinance - Retention Of Window Wells At 2263-2267 Clifford Avenue As A Part Of The Clifford Avenue Improvement Project

Int. No. 71 - Authorizing An Agreement And Appropriating Funds For The Clifford Avenue Improvement Project

Respectfully submitted,
Robert J. Stevenson
Brian F. Curran
Tony M. Thompson
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-40
Re: Agreement - NYS Department of Transportation, Snow Removal

Transmitted herewith for your approval is legislation authorizing the extension of a three-year agreement with the NYS Department of Transportation for the provision by the City of snow and ice removal services on the following state highways:

1. Lake Avenue, from Lyell Avenue to W. Ridge Road; and
2. Plymouth Avenue, from Commercial to Troup Streets

The total length of these two streets is 2.7 miles.

The City has provided these services since 1978 pursuant to periodic agreements. The most recent agreement was authorized by City Council on January 18, 2000.

The proposed agreement extends the existing agreement from June 30, 2002 to June 30, 2003, an extension that is required by NYSDOT. However, the requirement for an agreement for snow removal services on Plymouth Avenue will actually be eliminated when jurisdiction of the street is transferred from the State to the City.

Under the terms of the proposed agreement, the State will reimburse the City \$31,739 for snow and ice removal performed during the 2000-01 winter, which is \$1,732 less than the prior amount.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-40
(Int. No. 42)

Authorizing An Agreement With The New York State Department Of Transportation For Snow Removal

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation for the provision by the City of snow and ice removal services on Lake Avenue, from Lyell Avenue to West Ridge Road, and on Plymouth Avenue, from the Inner Loop Ramp to Troup Street, through June 30, 2003. The agreement shall obligate the State to reimburse the City for such services.

Section 2. The agreement shall contain such additional terms and condition 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. 2001-41
Re: Agreement - Sear Brown, Pennsylvania Avenue Improvement Project

Transmitted herewith for your approval is legislation authorizing an agreement with The Sear Brown Group, 85 Metro Park, for resident project representation services for the Pennsylvania Avenue Improvement Project. The maximum cost of this agreement is \$26,800, which will be financed from the 1999-00 Cash Capital allocation of the Department of Environmental Services and from the proceeds of water bond issues previously authorized by the City Council.

The project extends from N. Union to First Street. Design of the project, by Sear Brown, was authorized by the Council on December 14, 1999.

The project will involve various changes in the width of the pavement; rehabilitation of the pavement; replacement of curbs, catch basins and sidewalks; and landscaping. The changes in pavement width were approved by the Council on August 22, 2000.

Bids for construction of the improvements were received on October 31, 2000. The work will be performed by Gordon J. Phillips, Inc. at a cost of \$226,075, which is approximately 1% more than the engineering estimate; an additional \$11,335 (5%) will be allocated for contingencies.

<u>Improvement</u>	<u>Construction</u>	<u>Inspection</u>	
	<u>Contingency</u>	<u>Total</u>	

Street	\$185,128	\$24,700	
	\$ 9,272		\$219,100
Water	16,968	2,100	
	857		19,925
Sewer	20,113	0	
	1,012		21,125
Traffic	3,866	0	
	194		4,060
Total	\$226,075	\$26,800	
	\$11,335		\$264,210

The cost of the street improvements will be financed from the aforementioned cash capital allocation. The cost of the water improvements will be financed from the aforementioned bond issue. The cost of the sewer improvements will be financed from the proceeds of another bond issue previously authorized by the Council, and the cost of the traffic improvements will be financed from anticipated reimbursements from Monroe County.

Construction is expected to begin and be completed in the spring. Sear Brown is recommended to provide inspection services because of its familiarity with the project.

A public informational meeting concerning the project was held on July 6, 2000. A copy of the minutes of this meeting was previously forwarded to the Council.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-12

Ordinance No. 2001-41
(Int. No. 43)

Establishing \$26,800 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Pennsylvania Avenue Improvement Project

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

Section 1. The sum of \$26,800, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and The Sear Brown Group for resident project representation services for the Pennsylvania Avenue Improvement Project. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the Project. Of said amount, \$24,700 shall be funded from the 1999-2000 Cash Capital Allocation and \$2,100 shall be funded from Bond Ordinance No. 97-66.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-42
Re: Mt. Hope Cemetery Marketing
Program

Transmitted herewith for your approval is legislation relating to the marketing program for Mt. Hope Cemetery. This legislation will:

1. Amend the 2000-01 budget of the Department of

Parks, Recreation and Human Services to reflect the receipt of a grant of \$35,000 from the City Parks Forum;

2. Authorize an agreement with the Rochester Cemeteries Heritage Foundation; and
3. Authorize an amendatory agreement with Saphar and Associates, Inc., 185 Gibbs Street, for development and production of additional marketing materials, at a maximum cost of \$15,000.

The City Parks Forum was established in 1999 by the Wallace-Reader's Digest Fund and Doris Duke Charitable Foundation "...to help mayors, park professionals and community leaders explore ways parks can enhance the quality of life in urban communities and to increase the public sector's involvement in park development". The forum, which is managed by the American Planning Association, involves a series of symposiums for 30 selected cities over a three-year period.

Rochester participated in the fall, 2000 symposium in Pittsburgh on September 21-23, along with Knoxville and Milwaukee. The "case study" that was presented was the financial problems currently confronting Mt. Hope cemetery and the need to...

1. Change the image of the cemetery into a public park and tourist attraction, and
2. Generate increased funds to preserve and restore the cemetery.

As a result of its participation in the forum, the City will receive a grant of \$35,000 to help address these problems. This grant will be used for the following purposes:

1. Conduct a 2 1/2 day "summit" for administrators of historic cemeteries that are confronted with similar issues, and
2. In conjunction with the Friends of Mt. Hope Cemetery, develop a new brochure to promote the use of the cemetery for special events, tours and educational activities.

It is expected that the summit will be held in June, 2001. Administrators from approximately 60 other cemeteries are expected to participate. The new brochure is expected to be completed by September.

If the proposed amendatory agreement with Saphar for design and production of the brochure is approved, the total cost of the agreement with Saphar will increase to \$35,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-42
(Int. No. 44)

Approving Agreements For Cemetery Services And Amending The 2000-01 Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Cemeteries Heritage Foundation for the receipt of a grant for

marketing City cemeteries and hosting a planning symposium for historic cemetery professionals.

Section 2. The sum of \$15,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Saphar & Associates, Inc. for design, layout and printing services for fundraising materials for the Rochester Cemeteries Heritage Foundation. Said amount shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services.

Section 3. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Parks, Recreation and Human Services by the sum of \$35,000, which amount is hereby appropriated from the funds to be received under the grant approved in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance Nos. 2001-43, 2001-44 and 2001-45
Re: Browncroft Boulevard/N. Winton Road Improvement Project

Transmitted herewith for your approval is legislation relating to the Browncroft Boulevard/N. Winton Road Improvement Project. This legislation will:

1. Authorize the issuance of bonds totaling \$1,261,000 and appropriate the proceeds thereof to finance a portion of the costs of the project.

Street	\$ 672,000
Water	589,000
Total	\$1,261,000

2. Appropriate \$1,356,000 in anticipated reimbursements from Monroe County to finance a portion of the costs;
3. Authorize an agreement with the Rochester-Genesee Regional Transportation Authority for design, construction and inspection of bus pad enhancements;
4. Appropriate \$910 in anticipated reimbursements from RGRTA to finance the cost of these enhancements; and
5. Authorize an agreement with The Sear-Brown Group, 85 Metro Park, for resident project representation services, at a maximum cost of \$250,000.

The project, which extends on Browncroft Boulevard from N. Winton Road to the east city line and on N. Winton Road from Elmcroft Road to the north city line, is part of the Monroe County Arterial Improvement Program. The County's participation in the project is in accordance with the (131k) agreement authorized by the City Council on April 14, 1981.

Under the terms of this agreement, on September 15, 1998, the Council authorized the preparation, by Sear Brown and Fisher Associates, of engineering planning

reports for the two streets. The reports were approved by the Council on December 14, 1999. Based upon this approval, the Council authorized an agreement for design of the project by Fisher, with Sear-Brown as a subcontractor.

The project will involve certain changes in pavement width on Browncroft Boulevard and Tryon Park; reconstruction or rehabilitation of the pavement; installation of new water mains, hydrants, and services; replacement of curbs, catch basins, driveway aprons, sidewalks and street lights; bus stop pad enhancements; traffic modifications; and landscaping. The changes in pavement width were approved by the Council on December 14, 1999; modifications to these changes were approved by the Council on June 20, 2000.

Bids for construction of the project were received on January 23. The work will be performed by Fred-erico Construction Co., Inc. at a cost of \$1,999,450, which is 16% less than the engineering estimate; an additional \$368,460 (18%) will be allocated for contingencies and the planting of trees and installation of street lights, which will be performed under separate contracts.

Improvement	Construction Inspection	Contingency Total
Street	\$1,516,762	\$319,038
	\$192,200	\$2,028,000
Water	482,038	49,162
	57,800	589,000
Bus Pads	650	260
	0	910
Total	\$1,999,450	\$368,460
	\$250,000	\$2,617,910

The cost of the street and water improvements will be financed from the proceeds of the proposed bond issues and the anticipated reimbursement from the County. The cost of the bus stop pad enhancements, which will involve brick inlays along N. Winton Road, will be financed from the anticipated reimbursement from RGRTA.

Construction of the project is expected to begin in the spring and be substantially completed in the fall. Sear-Brown is recommended to provide inspection services because of its familiarity with the project.

Public informational meetings concerning the two streets were held on July 28 and August 19, 1999 and March 28 and May 22 and 23, 2000. Copies of the minutes of these meetings were previously forwarded to the Council.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-13

Ordinance No. 2001-43
(Int. No. 65)

Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$672,000 Bonds Of Said City And The Application Of \$1,356,000 In Funds Received From The County Of Monroe And \$910 From The Rochester-Genesee Regional Transportation Authority To Finance The Cost Of Construction And Reconstruction Of Certain Streets Related To The Browncroft Boulevard and

North Winton Road Improvement Projects

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain streets related to the Browncroft Boulevard & North Winton Road Improvement Projects within the City ("Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,028,910, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$672,000 bonds of the City, together with the application of \$1,356,000 received from the County of Monroe and \$910 received from the Rochester-Genesee Regional Transportation Authority to finance the balance of said cost, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$672,000 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 \$672,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.20(c) of the Law, is fifteen (15) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Thompson - 7.

Nays - None - 0.

Ordinance No. 2001-44
(Int. No. 66)

Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$589,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The Browncroft Boulevard and North Winton Road Improvement Projects

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain water mains related to the Browncroft Boulevard & North Winton Road Improvement Projects within the City (the "Project"). The total estimated maximum cost of said specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$589,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$589,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$589,000 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 \$589,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.1 of the Law, is forty (40) years.

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

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

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

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and

an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Thompson - 7.

Nays - None - 0.

Ordinance No. 2001-45
(Int. No. 67)

Authorizing Agreements And Appropriating Funds For The Browncroft Boulevard And North Winton Road Improvement Projects

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

Section 1. The sum of \$250,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and The Sear Brown Group for resident project inspection services for the Browncroft Boulevard and North Winton Road Improvement Projects. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the Project. Of said amount, \$44,900 shall be funded from a bond ordinance adopted for street improvements, \$57,800 shall be funded from a bond ordinance adopted for water improvements and \$147,300 shall be funded from the appropriation made in Section 4 hereof.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Rochester-Genesee Regional Transportation Authority for the design, construction and inspection of improvements to bus stop pads as a part of the Browncroft Boulevard and North Winton Road Improvement Projects.

Section 3. The sum of \$910, or so much thereof as may be necessary, is hereby appropriated from anticipated reimbursements from the Rochester-Genesee Regional Transportation Authority to fund improvements to bus stop pads as a part of the Browncroft Boulevard and North Winton Road Improvement Projects.

Section 4. The sum of \$1,356,000, or so much thereof as may be necessary, is hereby appropriated from anticipated reimbursements from the County of Monroe to fund the Browncroft Boulevard and North Winton Road Improvement Projects.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2001-46
Re: Agreement - Lu Engineering,
Asbestos Management Services

Transmitted herewith for your approval is legislation authorizing an agreement with Lu Engineering, Inc., 2230 Penfield Road, for asbestos management services. The maximum cost of this agreement will be \$129,000, which will be financed from the 1999-00 budget and cash capital allocation of the Department of Environmental Services.

The City has approximately 150 buildings, some of which contain asbestos. As you are aware, if inhaled, asbestos fibers can cause asbestosis, lung cancer and mesothelioma.

To minimize the risks of inhalation by City employees, DES has recommended that an asbestos management plan be prepared. For this purpose, in December, 2000, it solicited and received proposals from four organizations.

Lu Engineering is recommended to develop this plan based upon relative costs and its experience in asbestos management. It has been involved in management projects for 16 years.

Under the proposed agreement, Lu will:

1. Assist in determining which City buildings are likely to contain asbestos materials;
2. Assist in "targeting" buildings with high probability of asbestos and high likelihood of occupancy by City employees;
3. Inspect the targeted buildings to...
 - a. Identify the type, location and quantity of asbestos materials,
 - b. Ascertain the condition of the materials, and
 - c. Identify any abatement that is required;
4. Prepare a report that includes...
 - a. A listing of the buildings with asbestos and the results of the inspections,
 - b. Recommendations concerning the appropriate type of abatement, if needed, and estimates of the costs,
 - c. Recommendations concerning labeling and signage, employee training and records and maintenance procedures for buildings in which abatement is not necessary.

The development of the management plan is expected to be completed within six months.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-46
(Int. No. 73)

Establishing \$129,000 As Maximum Compensation For A Professional Services Agreement For Asbestos Management Services

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

Section 1. The sum of \$129,000, or so much

thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Lu Engineering, Inc. for asbestos management services. Of said amount, \$79,000 shall be funded from the 1999-2000 Cash Capital Allocation and \$50,000 shall be funded from the 1999-2000 Budget of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-47
Re: Agreement - Bergmann Associates,
University Avenue Artwalk Project

Transmitted herewith for your approval is legislation authorizing an agreement with Bergmann Associates, 28 E. Main Street, for final design and construction inspection services for the University Avenue Artwalk Project. The maximum cost of this agreement will be \$96,000, which will be financed from the 1999-00 Cash Capital allocation, previously appropriated federal reimbursements and the proceeds of a bond issue previously authorized by the City Council.

The Artwalk Project is a complement to the University Avenue Improvement Project. It involves construction of an eight-foot wide enhanced sidewalk on the north side of University Avenue between N. Goodman and Merriman Streets and on the south side between Merriman Street and the entrance to George Eastman House.

The enhancements include colored concrete sidewalks with a braided pattern and artistic designs stamped on one-foot borders. It also involves textured or raised crosswalks.

Preliminary design of the Artwalk, by Bergmann, was authorized by the Council on June 20, 2000. Under the proposed agreement, Bergmann will provide final design and construction services.

Construction of the Artwalk is expected to be completed in the summer, in conjunction with the completion of construction of the University Avenue project. The estimated cost of construction is \$246,800, which is expected to be financed as follows:

Cash Capital	\$ 42,540
Street Bond	36,650
Federal TEA-21	167,610
Total	\$246,800

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-14

Ordinance No. 2001-47
(Int. No. 72)

Establishing \$96,000 As Maximum Compensation For A Professional Services Agreement For Design And Construction Inspection Services For The University Avenue ArtWalk Project And Amending Ordinance No. 2000-194

BE IT ORDAINED, by the Council of the City of

Rochester as follows:

Section 1. The sum of \$96,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for final design and construction inspection services for the University Avenue ArtWalk Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Of said amount, \$17,460 shall be funded from the 1999-2000 Cash Capital Allocation, \$13,350 shall be funded from Bond Ordinance No. 2000-191 and \$65,190 shall be funded from the appropriation made in Section 3 of Ordinance No. 2000-194.

Section 2. Ordinance No. 2000-194, relating to agreements for the University Avenue ArtWalk Project, is hereby amended by amending Section 3 thereof to read in its entirety as follows:

Section 3. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation for the receipt of Federal Transportation Enhancements Program funding for the University Avenue ArtWalk Project. The sum of \$232,800, or so much thereof as may be necessary, is hereby appropriated from Federal Transportation Enhancements Program funds to be received under this agreement to fund the University Avenue ArtWalk Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance Nos. 2001-48, 2001-49,
Local Improvement Ordinance No. 1473
and Ordinance No. 2001-50

Re: Clifford Avenue Improvement Project

Transmitted herewith for your approval is legislation relating to the Clifford Avenue Improvement Project. This legislation will:

1. Authorize the issuance of bonds totaling \$1,272,000 and appropriate the proceeds thereof to finance a portion of the costs of the project:

Street	\$ 736,000
Water	536,000
Total	\$1,272,000

2. Appropriate \$2,251,500 in anticipated reimbursements from Monroe County to finance a portion of the costs;
3. Appropriate \$4,550 from the Local Improvement Fund to finance the costs of the repair of three window wells and authorize the subsequent assessment of this amount against the affected property to replenish the fund; and
4. Authorize an agreement with Goodkind & O'Dea, Inc., 183 E. Main Street, for resident project representation services, at a maximum cost of \$328,000.

The project, which extends from N. Goodman Street to the east city line, is part of the Monroe County Arterial Improvement Program. The County's participation in the project is in accordance with the (131k) agreement

authorized by the City Council on April 14, 1981.

Under the terms of this agreement, on October 12, 1999, the Council authorized the preparation, by Goodkind & O'Dea, of an engineering planning report for the project. The report was approved by the Council on June 20, 2000. Based upon this approval, the Council authorized an agreement with Goodkind & O'Dea for design of the project.

The project will involve various changes in the width of the pavement; rehabilitation of the pavement; installation of new water main connections and hydrants and replacement of non-copper water services; replacement of curbs, driveway aprons, sidewalks and street lights; traffic improvements; and landscaping. The changes in pavement width were approved by the Council on January 16, 2001.

Bids for construction of the project were received on January 18. The work will be performed by Villager Construction, Inc. at a cost of \$2,826,150, which is 3% less than the engineering estimate; an additional \$373,900 (13%) will be allocated for contingencies and the planting of trees and installation of street lights, which will be performed under separate contracts.

Improvement	Construction	Contingency	
	Inspection	Total	
Street	\$2,381,477	\$328,323	
	\$277,700		\$2,987,500
Water	441,173	44,527	
	50,300		536,000
Window Well	3,500	1,050	
	0		4,550
Total	\$2,826,150	\$373,900	
	\$328,000		\$3,528,050

The costs of the street and water improvements will be financed from the proceeds of the proposed bond issues and the anticipated reimbursement from the County.

As part of the project, three window wells required for the operation of the Savoia Bakery at 2263-2267 Clifford Avenue will be repaired. The cost of repair will be financed by the owner of the property.

However, the City will assist the owner to finance this cost through the proposed local improvement ordinance. Repayment of the cost will be due upon completion of the project.

Construction of the project is scheduled to begin in the spring of 2001 and be completed in the spring of 2002. Goodkind & O'Dea is recommended to provide inspection services because of its familiarity with the project.

Public informational meetings concerning the project were held on April 27, September 7 and November 9, 2000. Copies of the minutes of these meetings were previously forwarded to the Council.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-15

Ordinance No. 2001-48
(Int. No. 68)

Bond Ordinance Of The City of Rochester, New

York, Authorizing The Issuance Of \$736,000 Bonds Of Said City And The Application Of \$2,251,500 Received From The County Of Monroe To Finance The Cost Of Construction And Reconstruction Of Certain Streets Related To The Clifford Avenue Improvement Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain streets related to the Clifford Avenue Improvement Project within the City ("Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,987,500, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$736,000 bonds of the City, together with the application of \$2,251,500 received from the County of Monroe to finance the balance of said cost, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$736,000 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 \$736,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.20(c) of the Law, is fifteen (15) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Thompson - 7.

Nays - None - 0.

Ordinance No. 2001-49
(Int. No. 69)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$536,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The Clifford Avenue Improvement Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain water mains related to the Clifford Avenue Improvement Project within the City (the "Project"). The total estimated maximum cost of said specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$536,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$536,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable

real property in the City without limitation as to rate or amount, sufficient 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 \$536,000 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 \$536,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.1 of the Law, is forty (40) years.

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

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

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

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Thompson - 7.

Nays - None - 0.

Local Improvement Ordinance No. 1473
(Int. No. 70)

Local Improvement Ordinance - Retention Of Window Wells At 2263-2267 Clifford Avenue As A Part Of The Clifford Avenue Improvement Project

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

Section 1. The Council hereby authorizes the retention of three window wells at 2263-2267 Clifford Avenue as a part of the Clifford Avenue Improvement Project.

Section 2. The Council hereby finds that the retention of the window wells will benefit the following parcel of property:

Owner:	Robert Petrantoni
Property Address:	2263-2267 Clifford Ave.
SBL No.:	107.32-1-5
Amount:	\$4,550

Section 3. Such district is hereby defined to be the Special Assessment District for the payment of additional costs relating to the retention of the window wells. The Council hereby finds that the retention of the window wells benefits the parcel of property, and the costs of such retention shall be allocated to the parcel.

Section 4. The cost of improvements and work described in Section 1, including the cost of any necessary professional design and engineering work, not to exceed \$4,550, plus interest at a rate 1% above the City's "latest borrowing rate" on the unpaid balance, shall be assessed on the property within the limits of the district of assessment described above, in the amount set forth above. The Council hereby deems such property to be benefited by such improvements and proper to be assessed therefor. The City's "latest borrowing rate" shall be the most recent rate at which the City shall have sold long-term bonds prior to the date of initial billing of the assessments.

Section 5. The assessments shall be billed after the completion of the improvements and work described, and shall be due upon completion of the work. Any

assessment not paid by May 15 after its due date may be added to the upcoming annual tax bill for the property.

Section 6. The total cost of said improvements and work, up to \$4,550, shall be charged as described in this ordinance and paid from the local improvement fund, and said amount, or so much thereof as may be necessary, is hereby appropriated for this purpose.

Section 7. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Thompson - 7.

Nays - None - 0.

Ordinance No. 2001-50
(Int. No. 71)

Authorizing An Agreement And Appropriating Funds For The Clifford Avenue Improvement Project

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

Section 1. The sum of \$328,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Goodkind & O'Dea, Inc. for resident project inspection services for the Clifford Avenue Improvement Project. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the Project. Of said amount, \$48,200 shall be funded from a bond ordinance adopted for street improvements, \$50,300 shall be funded from a bond ordinance adopted for water improvements and \$229,500 shall be funded from the appropriation made in Section 2 hereof.

Section 2. The sum of \$2,251,500, or so much thereof as may be necessary, is hereby appropriated from anticipated reimbursements from the County of Monroe to fund the Clifford Avenue Improvement Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Councilman Thompson moved to have Introductories No. 6 and 7 discharged from committee.

The motion was seconded by Councilwoman Santiago.

The motion was adopted unanimously.

Introductory No. 6 was introduced January 16, 2001, and appears in its original form with its transmittal letter on page 7 of the current Council Proceedings.

Attachment No. AA-16

Councilman Thompson moved to amend Introductory No. 6.

The motion was seconded by Councilman Mains.

The motion was adopted unanimously.

Ordinance No. 2001-51
(Int. No. 6, As Amended)

Approving The Acquisition Of Parcels Or Permanent Easements For The Troup Street, Edgewood And Lamberton Park Improvement Project By Negotiation Or Condemnation

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

Section 1. The Council hereby approves the acquisition of the following parcels or permanent easements for municipal purposes for the amounts set forth as a part of the Troup Street, Edgewood and Lamberton Park Improvement Project:

Property Address Reputed Owner SquareFootage Acq Type	Land Value Improvement Value Total Acq Value
Pt of 737 W. Main St GF Associates, LLC 212.50 Fee	\$ 500 \$200 (planter) \$ 700
Pt of 737 W. Main St GF Associates, LLC 87.53 Utility Easement	200 -0- 200
Pt of 747 W. Main St GF Associates, LLC 12.50 Fee	100 200 (planter) 300
Pt of 3 Edgewood Pk GF Associates, LLC 25.00 Utility Easement	100 -0- 100
Pt of 4 Edgewood Pk GF Associates, LLC 60.14 Fee	100 -0- 100
Pt of 8 Edgewood Pk Rosa M. Lloyd & Walter H. Lloyd 161.60 Fee	150 -0- 150
Pt of 10 Edgewood Pk Lanny Harring 130.12 Fee	100 -0- 100
Pt of [10 Edgewood Pk] 390 Troup St Lanny Harring 24.90 Utility Easement	100 -0- 100
Pt of 14 Edgewood Pk Juanita Manor & Jimmie L. Manor 128.34 Fee	100 -0- 100
Pt of 390 Troup St Lanny Harring 25.00 Utility Easement	100 -0- 100

Pt of 393 Troup St	100	
Julian M. Powers	-0-	
12.50	100	
Easement		
Pt of 397 Troup St	100	
Mary L. Andrews	200 (fence)	
12.50	300	
Easement		
Totals:	\$1,750	
	\$600	
	\$2,350	

Section 2. The acquisition costs and necessary closing costs, in an amount not to exceed \$7,000, shall be funded from the 1999-2000 Cash Capital Allocation.

Section 3. In the event that said parcels or easements cannot be obtained by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings to obtain said parcels or easements.

Section 4. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

Ordinance No. 2001-52
(Int. No. 7)

Approving The Dedication Of Parcels For The Troup Street, Edgewood And Lamberton Park Improvement Project

Passed unanimously.

By Councilmember Douglas
February 13, 2001

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 45 - Approving Agreements For A Freedom Trail And Amending The 2000-01 Budget

Int. No. 46 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$515,000 Bonds Of Said City In Addition To Bonds Previously Authorized To Finance The Cost Of Construction Of Phase IV Improvements To The Rochester Public Market Located Within The City

Int. No. 47 - Establishing \$46,400 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Public Market Improvement Program

Int. No. 48 - Appropriating Funds For Logic Model Training

Int. No. 49 - Amending The 2000-01 Budget By Appropriating Forfeiture Funds

Int. No. 62 - Establishing Maximum Compensation For A Booking Agreement For The 2001 MusicFest

Int. No. 63 - Establishing Maximum Compensation For A Sponsorship Solicitation Agreement For The 2001 MusicFest

Respectfully submitted,
Benjamin L. Douglas
Robert J. Stevenson
Tony M. Thompson
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-53
Re: Rochester/Monroe County Freedom Trail Commission

Transmitted herewith for your approval is legislation relating to the Rochester/Monroe County Freedom Trail Commission. This legislation will:

1. Authorize an agreement with the NYS Office of Parks, Recreation and Human Services for receipt of a grant of \$5,000;
2. Authorize an agreement with the Commission for use of this grant; and
3. Increase the 2000-01 budget of the Department of Parks, Recreation and Human Services to reflect such receipt and use.

The Commission, which is comprised of 15 people, was established by the City and County in February, 2000. It is intended to support local implementation of the NYS Freedom Trail Act of 1997 and the federal National Underground Railroad Network to Freedom Act.

The Acts provide for the identification, documentation, preservation and promotion of historic sites on the Underground Railroad, the route used by slaves in their flight to freedom. Rochester contained several important "stations" on the railroad.

Among the planned projects of the Commission is the development by 20 high school students of a tour trail commemorating Austin Steward, who in 1816 became one of the first African Americans to operate a business in Rochester. The students will...

1. Research the life of Mr. Steward,
2. Visit some of the sites on the route he took on the railroad, including Bath, Canandaigua, and Hartland and St. Catherine's and Niagara Falls in Canada, and
3. Design a tour of these sites.

The students' research will be published and distributed to libraries and incorporated into the Commission's website. Through the Artwork and Culture Builds Communities program, the students will also create reenactments or plays about Mr. Steward.

The aforementioned state grant, obtained through the efforts of Sen. Dollinger will be used to finance the above activities.

Site Visits	\$2,900
Supplies	200
Printing and Duplicating	900

Program Coordination	1,000
Total	\$5,000

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-17

Ordinance No. 2001-53
(Int. No. 45)

**Approving Agreements For A Freedom Trail
And Amending The 2000-01 Budget**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for the receipt of a grant for the design of Freedom Trail tours and information on the Freedom Trail.

Section 2. The sum of \$5,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and the Rochester/Monroe County Freedom Trail Commission for the design of Freedom Trail tours and information on the Freedom Trail. Said amount shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services.

Section 3. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Parks, Recreation and Human Services by the sum of \$5,000, which amount is hereby appropriated from the funds to be received under the grant approved in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.
TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-54 and
Ordinance No. 2001-55
Re: Public Market Improvement Program

Transmitted herewith for your approval is legislation relating to the Public Market Improvement Program. This legislation will:

1. Authorize the issuance of bonds totaling \$515,000 and appropriate the proceeds thereof to finance the costs of the improvements included in Phase IV of the program; and
2. Authorize an amendatory agreement with The Sear Brown Group, 85 Metro Park, for resident project representation services, at a maximum cost of \$46,400.

The improvement program provides for a series of improvements at the Public Market and in the surrounding area over a multi-year period. The improvements included in Phases I and II have been completed and the improvements included in Phase III have been substantially completed.

Phase I - Replacement of roofs of Sheds A and C, construction of a wall at the end of Shed A

and installation of external directional signage (\$253,300)

Phase II - Remediation of contaminated soils and construction of a new parking lot, rehabilitation of an existing parking lot, sidewalk and drainage improvements, and reconstruction of a portion of Railroad Street (\$545,000)

Phase III - Improvements to the "gateways" at N. Union Street, Railroad Street, Pennsylvania Avenue, Peck Street and Haywood Avenue, and accessibility improvements to the Market Master House and restroom building (\$1,294,000)

Phase IV will involve improvements to the floors and roof drains of Shed A and C and improvements to the pavement between the Wholesale Row and Shed A. The estimated cost of these improvements is \$515,000.

Construction	\$426,600
Inspection	46,400
Contingencies	42,000
Total	\$515,000

The actual construction bids will be received on February 5.

Construction is expected to begin in the spring and be completed in the summer. Sear-Brown, which designed the improvements, is recommended to provide inspection services.

A public informational meeting concerning the project will be held on January 25. A copy of the minutes of this meeting will be forwarded to the City Council as soon as possible thereafter.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-18

Ordinance No. 2001-54
(Int. No. 46)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$515,000 Bonds Of Said City In Addition To Bonds Previously Authorized To Finance The Cost Of Construction Of Phase IV Improvements To The Rochester Public Market Located Within The City

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of Phase IV improvements to the Rochester Public Market, located within the City, including improvements to the floors and roof drains on Sheds A and C and to the walkway, drive and parking pavement between the Wholesale Row and Shed A (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is currently estimated to be \$1,809,000. The plan of financing includes the issuance of \$515,000 bonds of the City, and said amount is hereby appropriated therefor, in addition to monies previously authorized by Ordinances No. 2000-144, 95-365 and 99-233; and the levy and collection of an ad valorem tax on all taxable real property in the City

without limitation as to rate or amount, sufficient 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 \$515,000 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 \$515,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00a.12(a)(3), 20(f), 23 and 24 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 by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Thompson - 7.

Nays - None - 0.

Ordinance No. 2001-55
(Int. No. 47)

Establishing \$46,400 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Public Market Improvement Program

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

Section 1. The sum of \$46,400, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and The Sear Brown Group for resident project representation services for Phase IV of the Public Market Improvement Program. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the Project. Said amount shall be funded from a bond ordinance adopted for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-56
Re: Agreement - Cornell Cooperative
Extension, Logic Model Training

Transmitted herewith for your approval is legislation authorizing an agreement with Cornell Cooperative Extension of Monroe County, 249 Highland Avenue, for conduct of Logic Model training for human service providers and funders. The maximum cost of this agreement will be \$2,000, which will be financed from the General Community Needs allocation of the 2000-01 Community Development Block Grant.

The Logic Model is intended to assist organizations in developing and executing appropriate evaluations of human service programs. Approximately 200-250 representatives of service providers and funders are expected to participate in the training, which will consist of ten, two-hour classes.

The training project is considered a project with

matching funds and is therefore eligible for up to five years of funding. The proposed agreement represents the first year of funding.

A project description and budget are attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-19

Ordinance No. 2001-56
(Int. No. 48)

Appropriating Funds For Logic Model Training

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

Section 1. The sum of \$2,000, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 2000-01 Community Development Program to fund Logic Model Training.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-57
Re: 2000-01 Budget Amendment -
Police Department

Transmitted herewith for your approval is legislation increasing the 2000-01 budget and Cash Capital allocation of the Police Department by \$167,000. The increase will be financed by the appropriation of the proceeds of forfeited assets.

The proceeds represent the City's share of various assets confiscated by the state or federal governments as a result of investigations of drug trafficking and other illegal activities. Under state and federal law, any police agency that participates in these investigations is entitled to receive such a share.

The proceeds must be used for law enforcement purposes but may not be used to supplant current budget allocations. A budget amendment for use of the proceeds is therefore required.

The proposed appropriation will be used for the following purposes:

1. Preparation and production of a handbook for police officers, containing applicable laws and regulations (\$5,300);
2. Purchase of uniforms and equipment and preparation and production of training materials for the PAC-TAC program (\$40,000);
3. Provision of a facilitator for strategic planning sessions (\$5,000);
4. Purchase of a subscription to Auto-Trak, an online service that assists in the location of people (\$3,500);
5. Support of the 3-1-1 system, including overtime

for sworn personnel (\$28,000); and

6. Replacement of 9-millimeter weapons with .45 caliber weapons (\$85,200).

If the proposed appropriation is approved, the balance of the Forfeited Assets Fund will be \$4,515.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-57
(Int. No. 49)

Amending The 2000-01 Budget By Appropriating Forfeiture Funds

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

Section 1. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$85,200 and to the Rochester Police Department by the sum of \$81,800, which amounts are hereby appropriated from funds realized from seized and forfeited assets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-58 and
Ordinance No. 2001-59
Re: Agreements - 2001 MusicFest
Transmitted herewith for your approval is legislation relating to the 2001 MusicFest. This legislation will authorize agreements with the following organizations:

1. Rochester Broadway Theatre League, for talent booking, logistical management, ticket operations and marketing, at a maximum cost of \$677,000; and
2. Source One Marketing Communication, of Cincinnati, for festival development, sponsorship solicitation and volunteer recruitment, at a base cost of \$28,000 plus commissions of 15% of new sponsorship income.

The cost of the agreements will be financed from the 2000-01 and 2001-02 budgets of the Department of Parks, Recreation and Human Services and revenues from the Music Fest.

The 2001 MusicFest will represent the seventh annual event. RBTL has been involved with the Fest since 1997, when it assumed responsibility for site logistics. The most recent agreement for provision of these services was authorized by the City Council on April 18, 2000.

Heretofore, a separate agreement for talent booking was annually authorized. The most recent agreement, with the John Schreiber Group, was authorized by the Council on January 18, 2000.

To facilitate administration, this year talent booking and site logistical services will be provided under

one agreement. Proposals for these services were solicited from 40 organizations.

Twenty-two proposals were received. RBTL is recommended because of its familiarity with the MusicFest and its past performance.

Proposals for development of the MusicFest as a nationally-known event, for solicitation of corporate sponsors and for the development of volunteers were solicited from 40 organizations. Twelve proposals were received.

Source One is recommended to provide these services because of its experience. It has been involved with the Tall Stacks Festival in Cincinnati, Bastille Day in Milwaukee, and the Main Street Fort Worth Arts Festival, among others. Its principal, John Downie, is a member of the Board of Directors of the International Festival and Events Association.

The 2000 MusicFest was held at Brown's Square on July 15 and 16 and was attended by more than 13,000 people, despite severe weather conditions. Revenues exceeded expenditures by \$89,182.

The 2001 MusicFest will be held on July 21 and 22, in Genesee Valley Park if approved by the Monroe County Legislature. Following is the budget for this year's Fest.

	2000	2001
<u>Revenue</u>		
City	\$130,000	\$130,000
Corporate Sponsors	290,000	290,000
Ticket Sales	169,050	240,000
Concessions	42,008	40,000
Insurance Proceeds	100,000	0
	<u>\$731,058</u>	<u>\$700,000</u>
<u>Expense</u>		
Music Production	\$345,369	\$347,500
Site	159,396	188,500
Concessions	36,328	33,500
Finance/Administration	26,598	27,500
Marketing/PR	74,185	75,000
Sponsor Development	0	28,000
	<u>\$641,876</u>	<u>\$700,000</u>
Surplus (Deficit)	\$ 89,182	\$ 0

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-26

Ordinance No. 2001-58
(Int. No. 62)

Establishing Maximum Compensation For A Booking Agreement For The 2001 MusicFest

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

Section 1. The sum of \$677,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Rochester Broadway Theatre League to provide site logistics, marketing and local talent booking for the 2001 Rochester MusicFest. Of said amount, \$443,600 shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services, and \$60,000 shall be funded from the 2001-02 Budget of the Department of Parks, Recreation and Human Services, contingent

upon adoption of said budget and \$173,400 is hereby appropriated from the MusicFest Trust Fund.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-59
(Int. No. 63)

Establishing Maximum Compensation For A Sponsorship Solicitation Agreement For The 2001 MusicFest

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

Section 1. The sum of \$28,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Source One Marketing Communications to provide sponsorship solicitation and service, festival development and volunteer coordination for the 2001 Rochester MusicFest. Said amount shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services. Source One Marketing Communications shall also be allowed to retain 15% of new sponsorship income, which amounts are hereby appropriated from anticipated revenue from the MusicFest Trust Fund.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Norwood
February 13, 2001

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 50 - Authorizing The Sale Of Real Estate And Amending Ordinance No. 2000-163, As Amended

Int. No. 51 - Approving The Acquisition Of Temporary Easements For Water Conduit Replacement

Int. No. 52 - Authorizing The Lease Of Space At The Temple Building

Int. No. 53 - Authorizing Agreements For Electrical Inspection Services And An Amendatory Professional Services Agreement For The Zoning Ordinance Revision Project, As Amended

Int. No. 54 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$[678,000] 738,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing The Demolition Of Certain City Owned And Privately Owned Structures, As Amended

Int. No. 55 - Approving Sale Of Real Estate And Funding For The Development Of Housing

Int. No. 56 - Authorizing Agreements Relating To The Housing Opportunities For Persons With AIDS Program

Int. No. 61 - Resolution Approving Appointment To The Zoning Board Of Appeals

Int. No. 64 - Approving The 2001 Home Expo Program

Int. No. 74 - Amending Ord. 2001-31 Regarding The HUD Asset Control Area Partnership Program

Respectfully submitted,
Wade S. Norwood
Benjamin L. Douglas
Lois J. Giess (Did not vote on Introductory No. 74)
Gladys Santiago
HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance Nos. 2001-60,
2001-61 and 2001-62
Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the following real estate transactions:

1. Sale of nine properties,
2. Acquisition, by negotiation or condemnation, of one temporary access and four construction easements; and
3. Lease of 3,267 square feet of space in the Temple Building.

Sales

The first two properties to be sold were included in the public auction of September 28 and were subject to the acceptance of development proposals. 440 Clifford Avenue will be rehabilitated as a four-unit structure; 125-129 Hamilton Street will be deconverted from a two- to a single-family structure.

The next property, 147 Keller Street, will be sold through the Tenant Ownership Program. The sale price was established by an independent appraiser, Patrick Cahill. The purchaser will be required to rehabilitate the property within 18 months of the conditional closing and to occupy it for at least seven years.

The next three properties - 1502-04 Clifford Avenue, 44-46 Hobart Street and 17 Seventh Street - will be sold to their former owners. The sale prices include all delinquent taxes, interest and penalties.

The last three properties - 100-102 Eiffel Place, 225B Richard Street and 310H University Avenue - are considered unbuildable because of their size. They will be sold for \$1.00 to the owners of adjacent properties and combined with those properties.

Easements

The easements to be acquired are necessary for completion of the Conduit Crossover Rehabilitation Project, which will involve the replacement of the present 24" diameter pipe with a slightly larger pipe. The value of the easements, which will have a term of 24 months, was established by an independent ap-

praiser, Kevin Bruckner. This cost will be financed from the proceeds of the bond issue authorized by the City Council on April 18, 2000.

Lease

The space in the Temple Building will be used by the Department of Parks, Recreation and Human Services for the B.E.S.T program, which currently occupies 2,810 square feet of space at the Family Learning Center at 30 Hart Street. The relocation is intended to provide additional instructional space and permit the consolidation of staff, some of whom are located in City Hall; it is also intended to provide a more accessible or convenient location for program participants. Under the proposed agreement, the annual rental cost, including utility costs, insurance and property taxes, will be as follows:

Year	Square Foot Cost	Total Cost
1	\$ 9.50	\$31,036.50
2	10.50	34,303.50
3	11.50	37,570.50

The proposed rental rate has been reviewed by an independent appraiser, Robert Pogel, who has determined that it is within the market range for office space of the type to be provided. The annual rental cost will be financed from the budgets of DPRHS.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-20

Ordinance No. 2001-60
(Int. No. 50, As Amended)

Authorizing The Sale Of Real Estate And Amending Ordinance No. 2000-163

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

Section 1. The Council hereby approves the sale of the following parcels of real estate by public auction with proposal:

Address Purchaser	S.B.L.#	Price
440 Clifford Av Ray Barber	106.31-1-62	\$ 400
127 Hamilton St Patrick Michelson	121.56-1-28.1	9,200

Section 2. The Council hereby further approves the sale of the following parcel of real estate through the tenant ownership program:

Address Purchaser	S.B.L.#	Price
147 Keller St Wanda Reed	107.29-3-68	\$31,000

Section 3. The Council hereby further approves the sale of the following parcels of improved property to the former owners:

Address Purchaser	S.B.L.#	Price

1502-1504 Clifford Av 106.36-1-72
\$15,978.41

Neftali & Rosita Santiago

44-46 Hobart St 120.48-3-87
8,319.56

Barron Perry

17 Seventh St 106.60-2-50
3,629.91

Heriberto & Cynthia Luna

Section 4. The City Council hereby further approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address	S.B.L.#	Sq. Ft.
Purchaser		
100-102 Eiffel Pl Rufus LeGree	091.80-4-62	3228+/-
225B Richard St Marshall L. Fink	121.66-2-62.5	432
310H University Av Le The Be Walters	106.82-1-43	112+/-

Section 5. City taxes and other City charges, except water charges, against said properties are hereby cancelled 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 6. Ordinance No. 2000-163, authorizing the sale of real estate for the Thurston Road Housing Project, is hereby amended by authorizing the sale of the parcels to the Thurston Housing Development Fund Company, Inc. instead of the Urban League Economic Development Corporation.

Section 7. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

Ordinance No. 2001-61
(Int. No. 51)

Approving The Acquisition Of Temporary Easements For Water Conduit Replacement

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

Section 1. The Council hereby approves the acquisition of the following temporary access or construction easements for the amounts set forth to facilitate the replacement of a water conduit in the Towns of Lima and West Bloomfield:

Type	SBL#	Size
Temp. Access Easement	Pt. of 50.00-1-63.1	1.544ac
Meg. G. Huff		
\$1,193		
Temp. Const. A Easement	Pt. of 50.00-1-63.1	0.816ac
Meg. G. Huff		

625

Temp. Const. B Easement	Pt. of 50.00-1-63.1
Meg. G. Huff	0.800ac
600	

Temp. Const. C Easement	Pt. of 50.00-1-63.1
Meg. G. Huff	0.281ac
225	

Temp. Const. R Easement	Pt. of 50.00-1-63.1
Meg. G. Huff	0.316ac
250	

Total \$2,893

Section 2. The acquisition costs in an amount not to exceed \$2,893, and necessary closing costs, shall be funded from Bond Ordinance No. 2000-105.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-62
(Int. No. 52)

Authorizing The Lease Of Space At The Temple Building

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 Costanza Enterprises, Inc. for the lease of office space at the Temple Building, 14 Franklin Street, for use by the Department of Parks, Recreation and Human Services for a term of three years, with total rent of \$102,910.50, plus any increases in utilities, insurance and property taxes after the first year. Rental shall be funded through the annual budgets of the Department of Parks, Recreation and Human Services, contingent upon approval of said budgets.

Section 2. The lease 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. 2001-63
Re: Agreements - Electrical Inspection Services

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for the provision of electrical inspection services.

Organization	Address

Middle Department Inspection Agency, Inc.	
Westchester, Pennsylvania	
New York Board of Fire Underwriters	
New York City	
Commonwealth Inspection Services, Inc.	
Whitesboro, New York	

The City will be charged no fees for these services.

The first two organizations have provided inspection services since 1984; the third organization has provided services since 1998. The most recent agreements for such services were authorized by City Council on November 9, 1999.

During 1999, the following number of permit applications were submitted to these organizations.

Organization	Permit Applications
Commonwealth Inspection Services, Inc.	104
Middle Department Inspection Agency, Inc.	1,286
New York Board of Fire Underwriters	693

Under the proposed agreements, these organizations will inspect the installation of electrical equipment to ensure adherence to the applicable codes and, if appropriate, will issue certificates of compliance. These organizations will also investigate, without charge, complaints of improper maintenance, if requested by the Department of Community Development.

The fees for the inspection services will be established by the organizations, subject to the approval of the City and will be paid directly to the organizations by the applicants. Copies of the current fee schedules are attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor
Attachment No. AA-21

Ordinance No. 2001-63
(Int. No. 53, As Amended)

Authorizing Agreements For Electrical Inspection Services And An Amendatory Professional Services Agreement For The Zoning Ordinance Revision Project

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

Section 1. The Mayor is hereby authorized to enter into agreements with the Middle Department Inspection Agency, Inc., Commonwealth Inspection Services, Inc. and the New York Board of Fire Underwriters for the provision of electrical inspection services in the City of Rochester for a period of one year.

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

Section 3. The sum of \$5,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Cognitive Marketing, Inc. for promotion and advertising services relating to the implementation of the Zoning Ordinance Revision Project. Said amount shall be funded from the appropriation made in Ordinance No. 2000-366.

Section 4. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-64
Re: Bond - Demolition Program

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$678,000 and appropriating the proceeds thereof to partially finance the costs of the annual demolition program.

The 2000-01 Capital Improvement Program provided for total allocations of \$2,200,000 for building demolition. Of this amount, \$1,522,000 was financed from cash capital allocations.

To date, the latter amount has been used to finance the costs of 141 regular and 13 emergency demolitions. The present inventory of buildings for which regular demolition is recommended is 199, while 31 other buildings are awaiting demolition as a result of hearings.

The proposed bond issue will supplement the aforementioned cash capital allocation. It is expected to be sufficient to finance approximately 55 regular and 10 emergency demolitions.

All of the demolitions involve buildings that are considered a hazard to public health and safety. They involve both privately owned buildings acquired by the City through tax foreclosure proceedings or donation or, as indicated above, buildings whose demolition is a result of a hearing.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-64
(Int. No. 54, As Amended)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$[678,000] 738,000 Bonds Of Said City To Finance The Cost Of Planning And Implementing The Demolition Of Certain City Owned And Privately Owned Structures

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of planning and implementing the demolition of approximately [sixty-five] seventy-one ([65] 71) City owned and privately owned structures located in the City (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$[2,200,000] 2,260,000. The plan of financing includes the issuance of \$[678,000] 738,000 bonds of the City, and the levy and collection of an ad valorem tax on all taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Said amount is hereby appropriated therefor. The balance of said costs (\$1,522,000) is to be funded from budgeted City funds.

Section 2. Bonds of the City in the principal amount of \$[678,000] 738,000 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 \$[678,000] 738,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a.12-a and 11.00a.63 of the Local Finance 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.

Bracketed material deleted; underlined material added.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Thompson - 7.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-65
Re: Housing Development, Habitat for Humanity

Transmitted herewith for your approval is legislation relating to housing development by Flower City Habitat for Humanity. This legislation will:

1. Authorize the sale for their appraised values of four properties; and
2. Authorize an agreement with Habitat for infrastructure improvements for 10 houses at a maximum cost of \$80,000.

The cost of the agreement will be financed from the Housing Stock and General Property Conditions allocation of the 2000-01 Community Development Block Grant.

Habitat plans to construct 10 houses during the spring and summer of 2001. The houses will be constructed on Love, Maria, Rauber, Silver, and Thomas Streets and Central Park.

The proposed legislation will authorize the sale of four of the properties on which the houses will be constructed. The other properties have or will be acquired by Habitat from private owners.

The proposed legislation will also provide \$8,000 for infrastructure improvements for each of the houses. A similar subsidy, for seven houses in the Brown Street neighborhood, was approved by the City Council on January 18, 2000.

The houses will be sold to families selected by a Habitat committee. To be eligible for selection, a family must have...

1. No member receiving public assistance,
2. Annual income within 60% of the median family income,
3. Substandard rental housing at present, and
4. The ability to finance housing costs of \$425 a month plus utilities.

Each family must contribute 500 hours of "sweat equity" in building their house or the house of some-

one else, or contribute an equal amount of service at a neighborhood association or settlement house. The families also must attend seven workshops on home ownership.

The houses will be sold for approximately \$55,000. Habitat will provide a 20-year mortgage with an interest rate of 0%.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilman Douglas moved to amend Introductory No. 55.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Ordinance No. 2001-65
(Int. No. 55, As Amended)

**Approving Sale Of Real Estate And Funding
For The Development Of Housing**

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

Section 1. The Council hereby approves the sale at their appraised values of the following properties to Flower City Habitat for Humanity for the development of housing:

Address	S.B.L.#
17 Love Street	120.35-1-46
60 Love Street	120.34-2-19
55 Maria Street	106.32-1-51
57 Maria Street	106.32-1-50.1

Section 2. City taxes and other City charges, except water charges, against said properties are hereby cancelled up to the day of closing for the reason that the City has agreed to convey said properties free of City tax liens and other charges.

Section 3. The Mayor is hereby authorized to enter into an agreement with Flower City Habitat for Humanity for the Project.

Section 4. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$80,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the [Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development] 2000-01 HOME Program.

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

Section 6. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-66
Re: Housing Opportunities for Persons

With AIDS Program

Transmitted herewith for your approval is legislation relating to the Housing Opportunities for Persons With AIDS Program. This legislation will:

1. Authorize an application and agreement with the U.S. Department of Housing and Urban Development for receipt of a grant of \$491,000;
2. Authorize agreements with the following organizations for housing assistance services:

Organization	Amount
AIDS Rochester, Inc.	\$258,138
Catholic Charities, Inc.	166,218
The Health Association, Inc.	51,914

3. Appropriate \$14,730 to finance administrative expenses.

The cost of the agreements will be financed from the HOPWA allocation included in the 2000-2001 Consolidated Community Development Action Plan.

The HOPWA program was established in 1990. It is intended to provide "...states, localities and non-profit organizations with resources and incentives for meeting the housing needs of persons with AIDS and related diseases".

Prior to 1998-99, AIDS Rochester, Catholic Charities and The Health Association received HOPWA funds through a competitive grant application process. Since 1998-99, funds have been allocated to the City as part of the consolidated entitlement program.

In 1999, a review was conducted of the housing needs and available housing services for people with AIDS. This review, conducted by the University of Rochester, involved interviews with representatives of the organizations that had received HOPWA funds in the past and other agencies that serve people with AIDS.

The review resulted in the recommendation that the annual grants to the aforementioned organizations be continued. The agreements for the 1999-2000 allocations were authorized by the City Council on February 15, 2000. Under the proposed agreements, these organizations will continue to provide long term rental subsidies, emergency rental and utility assistance and transportation. It is expected that the following number of households will be assisted:

Organization	Number of Households
AIDS Rochester	92
Catholic Charities	58
The Health Association	8

A copy of the 1999 report of the University of Rochester is available for review in the Office of the City Clerk. Detailed descriptions of the programs of the aforementioned organizations are included in the report.

The City's 2000-01 HOPWA allocation is \$51,000 less than its 1999-00 allocation.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-25

Ordinance No. 2001-66
(Int. No. 56)

Authorizing Agreements Relating To The Housing Opportunities For Persons With AIDS Program

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into agreements with the following organizations for services under the Housing Opportunities for Persons With AIDS Grant Program:

Organization	Amount
The Health Association, Inc.	\$ 51,914
Catholic Charities, Inc.	166,218
AIDS Rochester, Inc.	258,138

Section 2. The sum of \$491,000, or so much thereof as may be necessary, is hereby appropriated from Housing Opportunities for Persons With AIDS Grant Funds to fund the agreements authorized herein, and the sum of \$14,730 for administrative expenses.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Resolution No. 2001-4
Re: Appointment - Zoning Board of Appeals

Transmitted herewith for your approval is legislation confirming the appointment of Thomas Morse, 26 Willmont Street, to the Zoning Board of Appeals.

Mr. Morse will replace John Fowler, who resigned from the Board and now is a member of the City Planning Commission. Mr. Morse's term will extend through February 28, 2004.

A copy of Mr. Morse's resume is on file in the Office of the City Clerk.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Resolution No. 2001-4
(Int. No. 61)

Resolution Approving Appointment To The Zoning Board Of Appeals

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

Section 1. The Council hereby approves the appointment of the following individual to the Zoning Board of Appeals for a term which shall expire on the following date:

Thomas Morse	February 28, 2004
26 Willmont Street	

Mr. Morse will replace John Fowler, who has resigned.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-67
Re: Home Expo 2001

Transmitted herewith for your approval is legislation relating to the Home Expo 2001 Program. This legislation will:

1. Authorize participation in the program by the following developers:
 - a. HSBC Community Development Corporation
 - b. Imperial Rochester Development Corporation
 - c. Speedwell Construction Services, Inc.
 - d. Urban League of Rochester Economic Development Corporation
2. Authorize the sale, at their appraised values, of 287 parcels and any other parcels previously approved by the City Council for inclusion in Home Expo program to the aforementioned developers and/or the Greater Rochester Partnership Housing Development Fund Corporation.
3. Appropriate \$38,500 from the 1999 HOME program to finance the cost of promotion, security, fencing and other activities associated with Home Expo 2001 and authorize the use of \$10,750 in unexpended funds previously appropriated for similar purposes for prior Home Expo programs;
4. Authorize the receipt and use of a \$500,000 grant from the NYS Affordable Housing Corporation; and
5. Authorize any agreements required for the use of these funds.

Home Expo 2001 will involve the construction of up to 45 houses on parcels throughout the city. The program will begin with the construction of eight model houses on Troup Street, across from Anthony Square.

The four developers that participated in Home Expo 2000 will construct the houses. The proposed legislation will authorize the sale of the parcels on which the houses will be constructed.

The proposed budget for Home Expo 2001 is as follows:

Expenses:	
Home purchase subsidies	\$900,000
Promotion, security and contingencies	60,000
Total	\$960,000
Revenues:	
Cash Capital	\$185,750
City Development Fund	10,750
Proposed HOME Appropriation	38,500
NYS AHC (approved)	225,000
NYS AHC (requested)	500,000

Total \$960,000

The home purchase subsidies will vary according to family income. The income guideline for the approved AHC grants is 80% of the median family income of the metropolitan statistical area; the proposed income guideline for the requested AHC grants is 120% of the median family income.

Purchasers with income at or below 100% of the median family income will also be eligible to participate in the Homebuyer Assistance Program. Under this program, up to \$6,000 is available for down payment and closing cost assistance.

The purchase subsidies of \$20,000 will permit the houses to be sold at prices between \$66,000 and \$76,000. Prospective purchasers will have to meet the following income guidelines.

Family Size	80%	100%	120%
1	\$29,350	\$36,700	\$44,100
2	33,550	41,950	50,400
3	37,750	47,200	56,700
4	41,900	52,400	63,000
5	45,250	56,600	68,100
6	48,640	60,800	73,100
7	52,000	65,000	78,200
8	55,350	69,200	83,200

A purchaser will be required to reside in the house for a minimum of 10 years or repay the purchase subsidy. After five years of residency, the required repayment amount will decline 20% during each of the remaining years.

The Greater Rochester Housing Partnership will, if necessary, provide construction financing for the participating developers. The Home Store will provide pre-purchase counseling, home ownership training, and assistance in obtaining mortgages.

The Home Store will also provide nominal marketing assistance to the developers and maintain a listing of available lots and house styles. Each developer may independently retain the services of a real estate broker to market its houses.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-22

Ordinance No. 2001-67
(Int. No. 64)

Approving The 2001 Home Expo Program

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

Section 1. The Council hereby approves the participation of the following developers in the 2001 Home Expo Program:

Speedwell Construction Services, Inc. (Principal: Robert Spencer)
Imperial Rochester Development Corp. (Principal: Donald Laudadio)
Urban League of Rochester Economic Development Corporation
HSBC Community Development Corporation (USA) (President: George P. Lorson)

Section 2. The Council hereby further approves the sale of any of the parcels of real estate on a list on file with the City Clerk, and any previously approved Home Expo lots, for their appraised value, to any of the developers listed in Section 1 and/or the Greater Rochester Partnership Housing Development Fund Corporation, provided that the developer shall construct and sell housing in accordance with the guidelines of the 2001 Home Expo Program.

Section 3. City taxes and other City charges, except water charges, against said properties are hereby cancelled up to the first day of the month following the date of closing for the reason that the City has agreed to convey said properties free of City tax liens and other charges.

Section 4. Previously appropriated local funds for security, fencing and related Home Expo Program costs are hereby further authorized for use as a part of the 2001 Home Expo Program.

Section 5. The Council hereby approves the receipt of funding from the New York State Affordable Housing Corporation, and the sum of \$500,000, or so much thereof as may be necessary, is hereby appropriated from New York State Affordable Housing Corporation funds to fund the 2001 Home Expo Program.

Section 6. The Mayor or his designee is hereby authorized to enter into agreements which may be necessary to implement the 2001 Home Expo Program.

Section 7. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 8. The sum of \$38,500, or so much thereof as may be necessary, is hereby appropriated from 1999 HOME Program funds to fund security, fencing and related Home Expo Program costs for the 2001 Home Expo Program.

Section 9. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-68
Re: Housing Finance Development Corp.

Transmitted herewith for your approval is legislation to amend Ord. 2001-31 regarding the Housing Finance Development Corporation (HFDC). As you will recall, at the January 16 Council Meeting, City Council amended this legislation to remove the authority to enter into a float loan agreement and to sell properties directly to the HFDC without further Council approval. This was done because there were several outstanding questions about the HFDC.

In the interim, Council has had a further briefing on the project and Committee Chair Norwood has recommended that we move forward this cycle to restore the items that were deleted in January. The attached legislation will make those restorations. It will enable the Mayor to execute the float loan agreement and to sell the HUD properties to the HFDC without additional Council approval, just as is done in the sale of those properties to other private buyers.

Approval at this time will allow the funding to be

in place as the traditional spring real estate market activity begins and the construction season moves into high gear.

Respectfully submitted,
Lois J. Giess
President

Ordinance No. 2001-68
(Int. No. 74)

Amending Ord. 2001-31 Regarding The HUD Asset Control Area Partnership Program

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

Section 1. Ord. 2001-31, Authorizing Amendatory 1999-2000 And 2000-01 Community Development Program Plans For Float Loans And Funding For The HUD Asset Control Area Partnership Program, Authorizing Agreements And The Sale Of Real Estate, As Amended, is hereby further amended by the addition of the following:

The Mayor is hereby authorized to enter into agreements with the Rochester Housing Development Fund Corporation and/or the Chase Manhattan Bank for the float loans authorized herein. The float loans shall be for a term not to exceed two years at no interest.

The Council hereby further approves the resale of residential real estate through the ACAP Program to the Rochester Housing Development Fund Corporation without further Council approval.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.:

By Councilmember Mains
February 13, 2001

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 57 - Cancellation Of Taxes And Charges

Int. No. 58 - Establishing \$42,000 As Maximum Compensation For A Professional Services Agreement For A Claim Voucher System

Int. No. 59 - Establishing \$27,282 As Maximum Compensation For A Professional Services Agreement For The Flexible Spending Program

Int. No. 436 - Establishing Maximum Compensation For A Professional Services Agreement With WXXI Public Broadcasting For City 12, As Amended

The Jobs, Finance, and Governance Committee recommends for consideration the following entitled legislation:

Int. No. 60 - Authorizing Amendatory 1995-96 And 1996-97 Community Development Program Plans, Amending Ordinances And Appropriating Funds For The Commercial Loan Program

Respectfully submitted,
Tim O. Mains

Brian F. Curran
Gladys Santiago
JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-69
Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$13,410.05.

Of the total, \$11,227.13 (83.7%) relates to the erroneous omission of an exemption for Veterans Outreach Center. The remaining amount, \$2,182.92 (16.3%) relates to the correction of a supplemental tax amount.

If these cancellations are approved, total cancellations during 2000-01 will be \$258,504.53.

	Accounts	Amounts
City Council	24	\$209,803.61
Administrative	166	
<u>48,700.92</u>		
Total	190	\$258,504.53

These cancellations represent .13% of the tax receivables as of July 1, 2000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-69
(Int. No. 57)

Cancellation Of Taxes And Charges

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

Section 1. The City Treasurer is authorized to cancel the following City taxes and charges.

a. Property owned by a charitable organization prior to the Taxable Status Date for the 2000 Assessment Roll.

S.B.L.#	Class	Tax Year
Address	Amount Canceled	
121.720-0001-020	NH	2001
789-793 South Ave.		\$11,227.13

b. Supplemental taxes are to be adjusted to reflect the correct date of transfer.

S.B.L.#	Class	Tax Year
Address	Amount Canceled	
106.310-0004-027.1	NH	2000
581 Joseph Ave.		<u>\$ 2,182.92</u>
Total		\$13,410.05

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the

City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-70
Re: Agreement - Systems Development
Group, Voucher Scanning System

Transmitted herewith for your approval is legislation authorizing an agreement with Systems Development Group, Inc., of Utica, for installation of a scanning, storage and retrieval system for claim vouchers. The maximum cost of this agreement will be \$42,000, which will be financed from the 1999-00 Cash Capital allocation.

The City presently processes about 40,000 claim vouchers each year. With the supporting documentation, the total volume of documents processed is about 200,000.

Under the NYS Records Retention Guidelines, these vouchers and documentation must be retained for at least six years. To provide for such retention, vouchers and documentation are microfilmed by the Division of Records Management.

The proposed installation of a scanning system is intended to replace the present microfilm process. It is expected to significantly enhance the efficiency of document storage and retrieval, improve the quality of the document images and permit the viewing of the documents from other locations.

Proposals for the installation of a system were solicited and received from five organizations. These proposals were evaluated by an intradepartmental committee consisting of representatives of the Treasury Bureau, Bureau of Information Systems and the Division of Records Management.

Systems Development is recommended because of its ability to integrate the scanning system with the City's existing computer system and because of its past performance in developing and maintaining the imaging system that is used by the Bureau of Assessment. The agreement providing for such development and maintenance was authorized by the City Council on February 14, 1995.

Of the other proposals, two were submitted by organizations within Monroe County. The cost of one of these proposals was \$28,200 less than the cost of the proposal submitted by Systems Development.

The significant difference in cost resulted in some doubt about whether, under the lower cost proposal, adequate resources would be allocated for system installation, training and support. In addition, the City has encountered some problems with the performance of the lower cost organization on another project.

Installation of the scanning system is expected to be completed by August. Five viewing locations will be established.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-23

Ordinance No. 2001-70
(Int. No. 58)

Establishing \$42,000 As Maximum Compensation For A Professional Services Agreement For A Claim Voucher System

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

Section 1. The sum of \$42,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Systems Development Group, Inc. for a claim voucher scanning, storage and retrieval system. Said amount shall be funded from the 1999- 2000 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-71
Re: Agreement - Blue Cross/Blue Shield,
Flexible Spending Account Program

Transmitted herewith for your approval is legislation authorizing a three-year agreement with Blue Cross and Blue Shield of Rochester, 165 Court Street, for continued administration of the flexible spending plan. The maximum cost of this agreement will be \$27,100, which will be financed from the annual budgets for Undistributed Expense.

The flexible spending plan provides for the transfer by an employee of a portion of his or her salary into an account that is used to pay the costs of medical, dental and dependent care that are not otherwise paid by insurance. The portion of the salary that is transferred is not subject to income taxes.

Blue Cross/Blue Shield has administered the program since 1995. The most recent agreement for such administration was approved by the City Council on January 20, 1998.

This agreement expired on December 31. In anticipation of this expiration, the Bureau of Human Resource Management solicited proposals for administration of the program beyond that date through public advertisement.

Three proposals were received. Blue Cross/Blue Shield is recommended because of its past performance.

The fee proposed by Blue Cross/Blue Shield, \$1.80 per enrollee, is somewhat higher than the fee proposed by one of the other organizations. However, when the costs of conversion are considered, such as those associated with the need for new forms and documents, the total cost differential is negligible, about \$500.

The proposed fee is \$.05 higher than the current fee.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-71
(Int. No. 59)

Establishing \$27,282 As Maximum Compensation For A Professional Services Agreement For The Flexible Spending Program

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

Section 1. The sum of \$27,282, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Blue Cross Blue Shield of the Rochester Area to administer the Flexible Spending Program for a term of three years. Of said amount, \$9,094 shall be funded from the 2000-01 Budget for Undistributed Expense, \$9,094 shall be funded from the 2001-02 Budget for Undistributed Expense, and \$9,094 shall be funded from the 2002-03 Budget for Undistributed Expense, contingent upon approval of future budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Introductory No. 436 was introduced December 19, 2000, and appears in its original form with its transmittal letter on page 361 of the 2000 Council Proceedings.

Ordinance No. 2001-72
(Int. No. 436, As Amended)

Establishing Maximum Compensation For A Professional Services Agreement With WXXI Public Broadcasting For City 12

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

Section 1. The sum of \$[168,330.52]84,165.26, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and WXXI Public Broadcasting for the continued operation of City 12 for a term not to exceed [one year]six months. Said amount shall be funded [equally] from the 2000-01 [and 2001-02] Budget[s] for Undistributed Expense[, contingent upon approval of the latter budget].

Section 2. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-73
Re: CDBG Appropriation - Commercial Loan Program

Transmitted herewith for your approval is legislation appropriating or reappropriating a total of \$449,220 for the Commercial Loan Program. The appropriation and reappropriations involve the use of funds originally allocated for the Entertainment District Loan

Program and Street Improvement Studies.

The Commercial Loan Program was authorized by the City Council on May 14, 1996. Under the program, financial assistance is provided to commercial businesses for projects that are expected to stimulate private investment and result in the retention or creation of jobs.

To date, \$1,889,553 has been allocated for the program. Of this amount, \$1,603,844 has been disbursed or committed for 13 loans, which have or are expected to result in private investment of \$4,600,000; the retention of 186 jobs and the creation of 112 jobs; approval of an additional loan of \$150,000 is pending. The available balance of the loan fund is therefore \$135,709.

The Entertainment District Loan Program was authorized by the Council on September 13, 1995. Under the program, loans are provided to finance the cost of acquisition of equipment by entertainment businesses located in designated districts.

To date, \$916,000 has been allocated for the program. Of this amount, \$352,780 has been disbursed for engineering services and two loans, totaling \$287,300, which have resulted in private investment of \$159,000. The available balance of the loan fund is therefore \$563,220.

The total amount allocated in 1995-96 for Street Improvement Studies was \$100,000. Of this amount, \$24,000 has been expended for a study of the Lake Avenue/Ridge Road area. It is expected that \$40,000 of the remaining amount will be used for studies of Lake Avenue and West Main Street. The unneeded allocation is therefore \$36,000.

The proposed legislation will appropriate the latter unneeded allocation and reappropriate \$413,220 of the balance of the Entertainment District Loan Fund. The fund will have a remaining balance of \$150,000.

The appropriation and reappropriation will require amendment of the 1995-96 and 1996-97 Community Development Block Grants. A public hearing on these amendments is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-24

Ordinance No. 2001-73
(Int. No. 60)

Authorizing Amendatory 1995-96 And 1996-97 Community Development Program Plans, Amending Ordinances And Appropriating Funds For The Commercial Loan Program

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

Section 1. The Council hereby approves an amendment to the 1995-96 Community Development Program Plan whereby within the Promoting Economic Stability Allocation the sum of \$63,220 shall be transferred from the Entertainment District Loan Program Account to the Commercial Loan Program Account.

Section 2. The Council hereby approves an amendment to the 1996-97 Community Develop-

ment Program Plan whereby within the Promoting Economic Stability Allocation the sum of \$350,000 shall be transferred from the Entertainment District Loan Program Account to the Commercial Loan Program Account.

Section 3. The Council hereby approves an amendment to the 1996-97 Community Development Program Plan whereby within the Promoting Economic Stability Allocation the sum of \$36,000 shall be transferred from the Street Improvements Lake/Monroe/Genesee Account to the Commercial Loan Program Account.

Section 4. Ordinance No. 96-190, relating to Economic Development Programs, as amended, is hereby further amended by reducing the amount authorized and appropriated in Section 3 thereof from the Promoting Economic Stability Allocation of the 1995-96 Community Development Program for the Entertainment District Loan Program by the sum of \$63,220, and by reducing the amount authorized and appropriated in Section 3 thereof from the Promoting Economic Stability Allocation of the 1996-97 Community Development Program for the Entertainment District Loan Program by the sum of \$350,000.

Section 5. There is hereby appropriated from the Promoting Economic Stability Allocation of the 1995-96 Community Development Program the sum of \$63,220, and there is hereby appropriated from the Promoting Economic Stability Allocation of the 1996-97 Community Development Program the sum of \$386,000, or so much thereof as may be necessary, to fund the Commercial Loan Program.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:37 P.M.

CAROLEE A. CONKLIN
City Clerk

* * * * *

REGULAR MEETING
March 20, 2001

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - none - 0.

The Council President requested the Council to rise for a Moment of Silence for Linda & Don Fuller.

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

Recognition Ceremony

Retirement:

Virginia Brightman - Emergency Communications Department
Thomas Cocuzzi - Fire Department
*James Kimble - Department Of Environmental Services

*Will not be attending.

APPROVAL OF THE MINUTES
By Councilmember Curran

RESOLVED, that the minutes of the Regular Meeting of February 13, 2001, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges. 3665-7
Claims Report. 3666-7
Corporation Counsel Submits Settlement of Tax Assessment Proceedings. 3667-7

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Local Improvement Ordinance - Care And Embel-

ishment Of Various Neighborhood Street Malls For 2001 - \$76,091.00 Int. No. 77 No speakers.

Amending Chapter 115 Of The Municipal Code, Zoning Ordinance, With Respect To The Comprehensive Plan And Official Street Map Int. No. 96 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson
March 20, 2001

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 75 - Resolution Approving Appointments And Reappointments To The Downtown Enhancement District Advisory Committee

Int. No. 76 - Authorizing Agreements For The Adopt-A-Lot Program

Int. No. 90 - Establishing \$68,700 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Troup Street, Lamberton Park And Edgewood Park Public Improvement Project

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 77 - Local Improvement Ordinance - Care And Embellishment Of Various Neighborhood Street Malls For 2001 - \$76,091.00

Respectfully submitted,
Robert J. Stevenson
Brian F. Curran
Tony M. Thompson
Gladys Santiago
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Resolution No. 2001-5
Re: Appointment - Downtown Enhancement District Advisory Committee

Transmitted herewith for your approval is legislation confirming the appointment or reappointment of six people to the Downtown Enhancement District Advisory Committee.

Establishment of the committee was specified by the local improvement assessment legislation that was approved by the City Council on May 16, 1989. The prescribed responsibilities of the committee are to "... monitor the performance of district services (and) ... to review the annual budget for the district prepared by the Mayor, and to make a recommendation to the City Council with respect to that budget".

The committee consists of 13 persons representing property owners and tenants within the district. The members are intended to "...fairly represent large properties and small properties, owners and tenants,

Zone 1 properties and Zone 2 properties".

The terms of six members of the Committee expired in December 2000, one of which resigned. The following appointments and reappointments are recommended:

<u>Name</u>	<u>Affiliation</u>
Appointment: Wes Plant	West Group
Reappointment:	
Thomas Hackett	Edwards Restaurant
Rodney Larsen	Barrister's Pub
Rosemarie Sprague	Executive Office Building
Joseph Wierzbowski	Plymouth Photo Studio
Arthur Wroblewski	Grubb & Ellis Management

The terms of committee members are "staggered" to prevent expiration of all terms in any one year. The terms of six members will expire on December 31, 2002 and the remaining seven members' terms will expire on December 31, 2001.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Resolution No. 2001-5
(Int. No. 75)

Resolution Approving Appointments And Reappointments To The Downtown Enhancement District Advisory Committee

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

Section 1. The Council hereby approves the appointment of the following person to the Downtown Enhancement District Advisory Committee:

<u>Name</u>	<u>Affiliation</u>	<u>Expiration</u>
Wes Plant	West Group	12/31/02
	50 Broad Street East	

Section 2. The Council hereby approves the reappointment of the following persons to the Downtown Enhancement District Advisory Committee:

<u>Name</u>	<u>Affiliation</u>	<u>Expiration</u>
Thomas Hackett	Edwards Restaurant	12/31/02
Rodney Larsen	Barrister's Pub	12/31/02
Rosemarie Sprague	Executive Office Bldg	12/31/02
Joseph Wierzbowski	Plymouth Photo Studio	12/31/02
Arthur Wroblewski	Grubb & Ellis Management	12/31/02

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-74
Re: Adopt-A-Lot Agreements

Transmitted herewith for your approval is legislation authorizing agreements with four neighborhood associations for the maintenance of city vacant lots under the Adopt-A-Lot Program. The total cost of the agreements will be \$85,790 which will be financed from the 2000-01 budget of the Department of Environmental Services.

The Adopt-A-Lot Program, which began in 1983, is designed to increase the quality of vacant lot maintenance while decreasing its cost. Under the program, DES annually establishes the amount that will pay for maintenance of each vacant lot "equivalent" (40' x 100'), prescribes maintenance standards, and solicits proposals for such maintenance from the neighborhood associations in the areas in which the lots are located.

The maintenance standard prescribed for the associations is the same standard used by the department. The associations are required to perform maintenance four or five times each season, with an emphasis upon maintenance during the spring.

The following organizations will participate in the 2001 program:

Organization	Amount
Coalition of Northeast Association	\$33,580
Marketview Heights Association	17,710
Montgomery Neighborhood Center	5,060
North East Block Club Alliance	20,470
South West Area Neighborhood Association	14,030
Urban League of Rochester	3,680
Group 14621	3,450
Program Total	\$97,980

In total, the seven organizations will be responsible for maintaining 378 (426 lot equivalents) of the approximately 3,000 City-owned lots requiring maintenance. The established price for the 2001 program for such maintenance is \$230 per lot equivalent, which is a \$20 per lot equivalent increase over last year's price.

All of the organizations that participated in the 2000 program and performed satisfactorily. They maintained 426 lot equivalents at a total cost of \$89,460. The following is a summary of participation in the program since 1995.

Year	No. of Organizations	No. of Lots	Lot Equivalents
1995	4	384	399
1996	5	397	410
1997	5	342	365
1998	5	371	398
1999	5	359	369
2000	7	378	426
Proposed 2001	7	378	426

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-74
(Int. No. 76)

Authorizing Agreements For The Adopt-A-Lot

Program

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations under the Adopt-A-Lot Program:

Organization	Amount
Coalition of Northeast Associations (CONEA)	\$33,580
Marketview Heights Association	17,710
North East Block Club Alliance (NEBCA)	20,470
Southwest Area Neighborhood Association (SWAN)	14,030

Section 2. The agreements authorized herein and additional Adopt-A-Lot agreements shall obligate the City to pay an amount not to exceed \$97,980, and said amount, or so much thereof as may be necessary, shall be funded from the 2000-01 Budget of the Department of Environmental Services.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-75
Re: Agreement - SEA Engineers, Resident Project Representation Services

Transmitted herewith for your approval is legislation authorizing an agreement with SEA Engineers, 71 Goodway Drive, for resident project representation services for the Troup Street/Lamberton Park/Edgewood Park Improvement Project. The maximum cost of this agreement will be \$68,700, which will be financed from the 1999-00 Cash Capital allocation of the Department of Environmental Services and the proceeds of a previously authorized bond issue.

The project, which was designed by the Bureau of Engineering and Architecture, includes Lamberton and Edgewood Parks and the portion of Troup Street between Reynolds Street and Lamberton Park. It involves milling and resurfacing of the pavement; installation of new water mains, services and hydrants; replacement of curbs, catch basins and sidewalks; installation of new street lights on Edgewood Park; and landscaping.

The acquisition of several easements on adjacent properties is required for the installation of sidewalk ramps and utilities. These acquisitions and the dedication of the easement areas as additional public right-of-way were approved by the City Council on February 19.

The estimated cost of the project is \$790,800.

Construction	\$687,700
Inspection	68,700
Contingencies	34,400
Total	\$790,800

Actual bids for construction of the project will be received on March 22. The project costs will be financed from Cash Capital allocations, the proceeds of previously authorized bond issues and anticipated reimbursements from Monroe County.

Construction is scheduled to begin in the spring and be substantially completed in the summer. SEA Engineers is recommended to provide inspection services because of the qualifications and availability of the personnel to be assigned to the project.

A public informational meeting concerning the project was held on July 12, 2000. A copy of the minutes of this meeting is attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-27

Ordinance No. 2001-75
(Int. No. 90)

Establishing \$68,700 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Troup Street, Lamberton Park And Edgewood Park Public Improvement Project

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

Section 1. The sum of \$68,700, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and SEA Engineers for resident project representation services for the Troup Street, Lamberton Park and Edgewood Park Public Improvement Project. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the Project. Of said amount, \$49,700 shall be funded from the 1999-2000 Cash Capital Allocation and \$19,000 shall be funded from Bond Ordinance No. 97-66.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Local Improvement Ordinance No. 1474
Re: Care And Embellishment Of Malls

Transmitted herewith for your approval is legislation authorizing the care and embellishment of street malls during 2001 and appropriating the associated costs of \$76,091.00 among the benefited properties.

The annual care and embellishment program provides for the maintenance of 26 street malls, by either the Department of Parks, Recreation and Human Services or street or neighborhood associations. Minimum standards of maintenance are established by the department and the appropriate street associations are asked whether they wish to assume responsibility for this maintenance.

If an association accepts responsibility, it may augment or enhance the level of care, subject to the willingness of the property owners on the affected street to pay the additional costs. All maintenance,

however, is monitored by the department.

The costs of the maintenance are apportioned among the benefited properties on the basis of the specified unit charges for each area. Charges are included on the annual tax bill and are payable in July. Until these payments are received, the department advances the necessary funds to the street associations.

In 2000, 12 malls were maintained by the department and 14 malls were maintained by street or neighborhood associations. The total authorized costs were \$31,700.00 and \$38,402.54, respectively.

In 2001, the department will be responsible for the maintenance of 12 malls at a total cost of \$32,334.00. Street associations will be responsible for the maintenance of 14 malls at a total cost of \$43,757.00.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-28

Local Improvement Ordinance No. 1474
(Int. No. 77)

Local Improvement Ordinance - Care And Embellishment Of Various Neighborhood Street Malls For 2001 - \$76,091.00

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

Section 1. It is hereby determined that the following improvements and work are necessary, required and shall be made:

- a. The care and embellishment of the following streets hereinafter referred to as "Group I" during the calendar year 2001:

Boulevard Parkway	\$
1,741.00	
Burke Terrace	
424.00	
Carthage Drive	
444.00	
Central Park (City)	
1,891.00	
Elmwood Mall	
2,712.00	
Glendale Park	
3,396.00	
Knickerbocker Street	
2,079.00	
Nye Park	
1,539.00	
Portsmouth Terrace	
1,592.00	
Raines Park	
1,592.00	
Seneca Parkway	
10,570.00	
Sumner Park	
2,547.00	
Werner Park	-
<u>1,807.00</u>	
\$32,334.00	

- b. The care and embellishment of the following streets hereinafter referred to as "Group II" during the calendar year 2001:

Arnold Park	\$
2,000.00	
Central Park (NEBCA)	
2,500.00	
Hazelwood Terrace	
1,660.00	
Highland Parkway	
959.00	
Hillside Avenue	
1,940.75	
Huntington Park	
3,997.61	
Lafayette Park	
6,314.54	
Lakeview Park	
4,884.72	
Nunda Boulevard	
4,676.40	
Oxford Street	
9,000.00	
Rundel Park	
2,823.98	
Sibley Place	-
<u>3,000.00</u>	
 \$43,757.00	

Section 2. The district of assessment for each street mall shall consist of all the parcels of property that front on the mall, or on any extension of the street or streets containing the mall up to the next intersecting street. The cost of maintenance of each street mall, in the amount set forth in Section 1, shall be apportioned among the parcels in the district based on each parcel's footage along the street containing the mall.

Section 3. Assessments for the cost of such improvements and work shall be due in one payment and shall be added to the tax rolls for the fiscal year commencing July 1, 2001.

Section 4. The total cost of such improvements and work, estimated at \$76,091.00, shall be charged as heretofore described in this ordinance and paid from the General Fund, and said sum, or so much thereof as may be necessary, is hereby appropriated for the aforesaid purpose.

Section 5. The work described for Group I shall be performed by or at the direction of the Bureau of Parks and Recreation.

Section 6. It is hereby determined that it is impracticable to have the work described herein for Group II done by competitive contract. Therefore, contracts for the work described herein for Group II may be awarded to such qualified persons or neighborhood associations as may be selected from those located in or adjacent to the aforementioned streets and areas.

Section 7. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

By Councilmember Douglas
March 20, 2001

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 78 - Authorizing Agreements With Respect To Underage Alcohol Enforcement

Int. No. 79 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement With Hamilton Associates For Psychological Evaluation Services

Int. No. 80 - Acceptance Of Toy Library Grant And Amending The 2000-01 Budget For NET

Int. No. 81 - Authorizing Agreements For Human Services Projects

Int. No. 91 - Establishing \$16,935 As Maximum Compensation For A Professional Services Agreement For A NET Report To The Community

Int. No. 92 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Computer Support Services

Int. No. 95 - Local Law Amending The City Charter With Respect To The Powers Of The Neighborhood Empowerment Team Director

Respectfully submitted,
Robert J. Stevenson
Tony M. Thompson
Lois J. Giess
Gladys Santiago
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-76
Re: Agreement - GTSC, Underage
Alcohol Enforcement Program

Transmitted herewith for your approval is legislation authorizing an agreement with the NYS Governor's Traffic Safety Committee for receipt of a grant of up to \$24,270 to partially finance the cost of enforcement activities involving the sale of alcohol to underage persons.

In 1996, as part of its STOP-DWI program, the Police Department began to enhance its enforcement efforts relating to the sale of alcohol to persons under the age of 21. Underage youth were recruited to attempt to purchase alcohol from various locations, such as stores, bars and restaurants.

Beginning in 1998, the Governor's Traffic Safety Committee has provided grants to partially finance the costs of enforcement. Acceptance of the most recent grant was authorized by the City Council on November 9, 1999.

During the grant period, 12 enforcement details were conducted. Purchases were attempted at 119 locations and 29 arrests were made for illegal sales.

The proposed grant will be used for the continuation of such enforcement efforts:

Overtime	\$18,860
Informant payments	910

Printing and advertising	300
"Buy" money	1,200
Vehicle rental	1,500
Equipment	1,500
Total	\$24,270

The proposed grant is \$11,270 more than the prior grant.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-76
(Int. No. 78)

Authorizing Agreements With Respect To Underage Alcohol Enforcement

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

Section 1. The Mayor is hereby authorized to enter into agreements with the Governor's Traffic Safety Committee and the County of Monroe for funding for an Underage Alcohol Enforcement Program.

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.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-77
Re: Agreement - Hamilton Associates,
Police Psychological/Psychiatric
Exams

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Hamilton Associates, of Fairport, for the provision of psychological and psychiatric evaluations. The maximum cost of the agreement will be \$6,400, which will be financed from the 2000-01 budget of the Police Department.

As previously indicated, a psychological and psychiatric evaluation is one of the components that is used to determine the eligibility of persons for appointment as police officers. On January 16, the City Council authorized an agreement with Hamilton Associates to provide such evaluations.

Under this agreement, the fee for each evaluation is \$500. The maximum cost of the agreement, \$25,000, was based upon the expected number of appointments, 25.

However, the evaluation of more candidates than anticipated has been necessary. The proposed amendatory agreement will provide for payment of the additional services. If the amendatory agreement is approved, the total cost of the agreement with Hamilton will increase to \$31,400.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-77
(Int. No. 79)

Establishing Maximum Compensation For An Amendatory Professional Services Agreement With Hamilton Associates For Psychological Evaluation Services

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

Section 1. The sum of \$6,400, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Hamilton Associates for psychological and psychiatric evaluation of police officer candidates and police officers. Said amount shall be funded from the 2000-01 Budget of the Rochester Police Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-78
Re: Maplewood - Edgerton Toy Library

Transmitted herewith for your approval is legislation relating to the Maplewood - Edgerton Toy Library. This legislation will:

1. Authorize an agreement with Coordinated Care Services, Inc., 1099 Jay Street, on behalf of the Rochester/Monroe County Youth Bureau, for the receipt of a grant of \$10,000 to partially finance the costs of the library; and
2. Increase the 2000-01 budget of NET to reflect such receipt.

As indicated previously, the library will supplement the toy library at the Lincoln branch library. Like the Lincoln library, the Maplewood - Edgerton library will make toys and educational materials available to the public, to improve parent-child relationships.

The annual budget for the library is \$15,000. Of this amount, \$5,000 will be financed from a Community Development Block Grant appropriation approved by the City Council on January 16. The proposed grant will finance the remaining amount.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-78
(Int. No. 80)

Acceptance Of Toy Library Grant And Amending The 2000-01 Budget For NET

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 Coordinated Care Services, Inc., on behalf of the Rochester/Monroe County Youth Bureau, for funding for the creation of the Maplewood-Edgerton Toy Library.

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

Section 3. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Neighborhood Empowerment Team by the sum of \$10,000, which amount is hereby appropriated from the grant authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-79
Re: Agreements - Human Services Program

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for human services projects.

<u>Organization</u> <u>Project</u>	<u>Amount</u>
Rochester Area Community Foundation Rochester's Child	\$ 2,500
Arts & Cultural Council ArtWorks	20,000
United Way Services Corporation Community Profile	13,000

The cost of the agreements will be financed from the General Community Needs allocations of the 1999-00 and 2000-01 Community Development Block Grants.

All three projects are classified as projects with matching funds and are therefore eligible for up to five years of funding. The first agreement represents the second year of funding, the second agreement represents the first year of funding, and the last agreement represents the third year of funding.

Project descriptions and budgets are attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-29

Ordinance No. 2001-79
(Int. No. 81)

Authorizing Agreements For Human Services Projects

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for Human Services Projects in amounts not to exceed the following:

<u>Organization</u> <u>Project</u>	<u>Amount</u>
Rochester Area Community Foundation Rochester's Child	\$ 2,500

Arts & Cultural Council
ArtWorks 20,000

United Way Services Corporation
Community Profile 13,000

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$35,500, and of said amount, or so much thereof as may be necessary, \$13,000 is hereby appropriated from the General Community Needs Allocation of the 2000-01 Community Development Program and \$22,500 is hereby appropriated from the General Community Needs Allocation of the 1999-2000 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-80
Re: Agreement - Zinter Housing Consultants,
NET Community Report

Transmitted herewith for your approval is legislation authorizing an agreement with Zinter Housing Consultants (principal: Miriam Zinter), 28 Chelmsford Road, for preparation of a report to the community concerning the Neighborhood Empowerment Team. The maximum cost of this agreement will be \$16,935, which will be financed from the 2000-01 budget for NET.

NET was established by the City Council on December 17, 1996. The last of six NET offices, at 846 S. Clinton Avenue, was opened in July, 1998.

In accordance with the request of the Council, an evaluation of NET operations was completed in April, 1999. The proposed report to the community is intended to supplement the evaluation and update the activities of NET.

The report will be prepared by Ms. Zinter, a former City employee. Design and graphics services will be provided by Tammy Johnson, another former City employee.

The budget for the project is as follows:

Services by Ms. Zinter	
Research (10 hours)	\$ 750
Interviews (12)	900
Writing (15)	1,125
Editing and supervision (8)	600
Design and Graphics	5,000
Printing (2,500 booklets)	8,560
Total	\$16,935

The report booklets will contain 20-28 pages. The proposed contents of the report are indicated in the attachment.

The report is expected to be completed by May.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-30

Ordinance No. 2001-80
(Int. No. 91)

Establishing \$16,935 As Maximum Compensation For A Professional Services Agreement For A NET Report To The Community

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

Section 1. The sum of \$16,935, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Zinter Housing Consultants for preparation of a NET Report to the Community. Said amount shall be funded from the 2000-01 Budget of the Neighborhood Empowerment Team.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-81
Re: Agreement - B. James Hatch,
Computer Support Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with B. James Hatch, 5 Justin Circle, for the continued provision of computer support services for the Police Department. The maximum cost of this agreement will be \$10,000, which will be financed from the 2000-01 budget of the department.

On February 15, 2000, the City Council authorized an agreement with Voyager Systems for installation of a new computer for the department and for conversion of existing records. The installation and conversion were scheduled to be completed in December, 2000.

However, conversion of the records has been more difficult than anticipated. As a result, the department has had to retain its old computer system, which utilizes Wang Laboratories equipment and programs.

Mr. Hatch was employed by the City from January, 1972 to June, 2000, when he retired. He was assigned to the Information Systems Unit for most of his career and among his responsibilities was the support and maintenance of the Wang system.

After Mr. Hatch retired, the department executed an agreement with him for continued support and maintenance of the Wang system until the record conversion was completed. The maximum cost of this agreement was \$8,000.

Because of the delay in conversion, this allocation has been nearly expended. The proposed agreement will provide for continued support and maintenance of the Wang system until the conversion is completed, which is now expected to occur within four months.

Mr. Hatch's hourly fee will continue to be \$68 per hour. The proposed agreement will therefore provide for approximately 147 hours of service.

If the proposed amendatory agreement is approved,

the total cost of the agreement with Mr. Hatch will increase to \$18,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-81
(Int. No. 92)

Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Computer Support Services

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

Section 1. The sum of \$10,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and B. James Hatch for computer support services for the Rochester Police Department. Said amount shall be funded from the 2000-01 Budget of the Rochester Police Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Local Law No. 1
Re: City Charter Amendment - NET

Transmitted herewith for your approval is legislation amending the City Charter by authorizing the Neighborhood Empowerment Team Director to appoint such subordinates and employees of NET as may be prescribed. This authorization is similar to that which is provided to the directors of the other bureaus within the Mayor's Office - the Bureaus of Budget and Efficiency, Communications, and Human Resource Management.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Local Law No. 1
(Int. No. 95)

Local Law Amending The City Charter With Respect To The Powers Of The Neighborhood Empowerment Team Director

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by amending Section 3-8.1 thereof, Neighborhood Empowerment Team Director, by adding the following new sentence to the end thereof:

The NET Director shall be the appointing authority for employees of NET.

Section 2. This local law shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

By Councilmember Norwood
March 20, 2001

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 82 - Authorizing The Sale Of Real Estate

Int. No. 83 - Amending Ordinance No. 2001-62, Relating To The Lease Of Space At The Temple Building

Int. No. 86 - Authorizing Agreements For The Adopt-A-Block Program, As Amended

Int. No. 89 - Authorizing An Agreement With The Rochester-Genesee Regional Transportation Authority For Access-To-Jobs

Int. No. 97 - Establishing \$20,000 As Maximum Compensation For An Amendatory Professional Services Agreement For A Media Outreach Campaign

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 96 - Amending Chapter 115 Of The Municipal Code, Zoning Ordinance, With Respect To The Comprehensive Plan And Official Street Map

The following entitled legislation is being held in committee:

Int. No. 84- Approving The Acquisition Of Parcels For Parking Purposes

Int. No. 85 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$375,000 Bonds Of Said City To Finance The Cost Of The Acquisition Of Certain Parcels Of Land For Public And City School District Parking

Respectfully submitted,
Wade S. Norwood
Nancy K. Griswold
Lois J. Giess
Gladys Santiago
HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance Nos. 2001-82,
2001-83, 2001-88 and 2001-89
Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the following real estate transactions.

1. Sale of seven properties,
2. Modification of a previously authorized lease,

and

3. Acquisition of four properties.

The legislation will also authorize the issuance of bonds totaling \$375,000 and appropriate the proceeds thereof to partially finance the costs of acquisition.

Sales

The first four properties to be sold - 265-269 Bay Street, 237 Fernwood Avenue, 14 Frederick Street and 37 Mt. Vernon Avenue - will be sold to their former owners. The sale prices include all delinquent taxes, interest and penalties.

The next two properties, the east and west halves of 94 Flower Street, are considered unbuildable because of their size. They will be sold for \$1.00 to the owners of the adjacent properties and combined with those properties.

The last property, 197 Bedford Street, will be sold to the Greater Rochester Partnership Housing Development Fund Corporation. The property will be rehabilitated and resold to a person who intends to be an owner-occupant.

Lease

On February 13, the City Council authorized the lease of 3,267 square feet of space in the Temple Building for the B.E.S.T. program. The lease had a term of three years and provided for payments totaling \$102,910.50.

This amount did not include the cost of certain renovations requested by the City. This non-recurring cost, \$2,940.30, was to be added to the first year payment. The proposed legislation will provide for this addition by increasing the maximum total cost of the lease agreement to \$105,850.80.

Acquisitions

The four properties to be acquired - 97 N. Clinton Avenue, 172 and 180 Pleasant Street, and 223-231 Andrews Street - comprise a surface parking lot that contains 151 spaces. The properties are being acquired for future development.

Until development occurs, the lot will be leased for \$1.00 to the City School District, whose temporary tutoring center is located on the adjacent property at 107-111 N. Clinton Avenue. Acquisition of the latter property was authorized by the City Council on October 17, 2000.

The District expects to utilize 65 parking spaces in the lot for employees of and visitors to the tutoring center. The District will lease the remaining 86 spaces to generate revenue to partially offset the costs of acquisition and renovation of the property.

The term of the lease will be at least four years, after which time the City will be able to terminate the lease upon 18 months notice. The four year minimum term is intended to permit the District to amortize the net costs of acquisition and renovation.

The purchase price of \$550,000 was established by an independent appraiser, Kevin Bruckner. This cost, and estimated closing costs of \$50,000, will be financed from the 2000-01 Cash Capital allocation and the proceeds of the proposed bond issue.

The total assessed value of the four properties is \$438,300. Following acquisition, a portion of the properties will continue to be subject to taxation because they will be used by the District for non-public purposes.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-31

Ordinance No. 2001-82
(Int. No. 82)

Authorizing The Sale Of Real Estate

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

Section 1. The Council hereby approves the sale of the following parcels of improved property to the former owner:

Address S.B.L.#	Price	Purchaser
265-269 Bay St 106.51-2-01	\$10,149.75	Marvin Berman
237 Fernwood Ave 106.28-1-76	7,514.58	Sheila Manza
14 Frederick St 106.49-1-30	2,049.83	Edna Mae Bullock
37 Mt. Vernon Ave 121.65-1-42	9,524.41	Ralph Beikirch & Arlene Derleth

Section 2. The Council hereby further approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address S.B.L.#	Sq. Ft.	Purchaser
EH 94 Flower St Pt of 106.30-1-41	+/-2216	Rufino Pabon
WH 94 Flower St Pt of 106.30-1-41	+/-2216	Ramon Lopez

Section 3. The Council hereby further approves the negotiated sale of the following parcel of improved property with proposal:

Address S.B.L.#	Price	Purchaser
197 Bedford St 107.31-1-52	\$10,000	Greater Rochester Partnership Housing Dev Fund Corp*

*Officers: Thomas Richards, John Mooney, Jean A. Lowe, and Frank Crego

Section 4. City taxes and other City charges, except water charges, against said properties are hereby cancelled 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 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-83
(Int. No. 83)

Amending Ordinance No. 2001-62, Relating To The Lease Of Space At The Temple Building

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

Section 1. Ordinance No. 2001-62, authorizing the lease of space at the Temple Building, is hereby amended by increasing the total rent authorized therein to \$105,850.80.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilman Norwood moved to have Introductories No. 84 and 85 discharged from committee.

The motion was seconded by Councilman Mains.

The motion was adopted by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Curran - 1.

Ordinance No. 2001-88
(Int. No. 84)

Approving The Acquisition Of Parcels For Parking Purposes

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

Section 1. The Council hereby approves the acquisition of the parcels at 97 North Clinton Avenue, 172 and 180 Pleasant Street and 231 Andrews Street from the reputed owner, Realty Parking Properties, L.P., for the sum of \$550,000 for parking for the public and the City School District.

Section 2. Of the acquisition costs in an amount not to exceed \$550,000, and necessary closing costs not to exceed \$50,000, \$225,000 shall be funded from the City Development Fund and \$375,000 shall be funded from a bond ordinance for this purpose.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Curran - 1.

Ordinance No. 2001-89
(Int. No. 85)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$375,000 Bonds Of Said City To Finance The Cost Of The Acquisition Of Certain Parcels Of Land For Public And City School District Parking

BE IT ORDAINED, by the Council of the City of

Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the acquisition of certain parcels of land located within the City, more commonly known as 97 North Clinton Avenue, 172 and 180 Pleasant Street and 231 Andrews Street; the parcels to be used for parking for the public and the City School District (collectively, the "Project"). The estimated maximum cost of the specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$600,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$375,000 bonds of the City and the use of \$225,000 in current funds of the City, and the levy and collection of an ad valorem tax on all taxable real property in the City without limitation as to rate or amount, sufficient 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 \$375,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

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

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00a.21(b) of the Law, is thirty (30) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to

providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Curran - 1.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-84
Re: CDBG Appropriation - 2001
Adopt-A-Block Program

Transmitted herewith for your approval is legislation authorizing agreements with eight organizations for participation in the 2001-02 Adopt-A-Block Program. The total maximum cost of these agreements will be \$213,650, which will be financed from the 2000-01 Community Development Block Grant Program.

The Adopt-A-Block Program was initiated in 1988 to improve the cleanliness of highly visible areas of the city by increasing litter removal services. Under the program, neighborhood or community organizations contract with the City to supplement its regular cleaning services.

Proposals for participation in the 2001 program were solicited from 42 organizations. Fourteen organizations submitted proposals for the maintenance of 25 areas totaling 28.57 miles. All of these proposals are recommended for approval.

Each organization will provide a minimum of two workers to perform special hand sweeping and litter removal services for at least seven hours each day, two days per week between May and October, and

for up to 160 hours on "fair-weather" days between November and April. Sidewalks, tree lawn areas, and curb lanes will be cleaned.

The organizations will provide all necessary equipment. The City will provide additional refuse collection services as required. The fee to be paid for all 25 areas consists of the following:

Administrative services	\$ 1,500
Sweeping and litter removal services (May through October)	5,926
Sweeping and litter removal services - \$7.00 per worker hours up to 160 hours (November through May)	<u>1,120</u>
Total	<u>\$8,546</u>

The following organizations are participating in the program:

Coalition of Northeast Associations	\$ 17,092
ISLA	17,092
North East Block Club Alliance	17,092
South East Area Coalition	17,092
South Wedge Planning Committee	17,092
Lyell Avenue Revitalization Committee	17,092
Southwest Area Neighborhood Association	17,092
West Main Business Association	42,730
Catholic Family Center Francis Center	8,546
Eastside Community Center	8,546
Maplewood Neighborhood Association	8,546
Montgomery	8,546
Portland Avenue Business Association	8,546
Maplewood Business Association	<u>8,546</u>
Total	<u>\$213,650</u>

Following is a summary of participation during the past 10 years:

Year	Number of Organizations	Areas
1991	11	15
1992	14	18
1993	14	18
1994	13	19
1995	12	22
1996	14	23
1997	14	26
1998	16	26
1999	16	26
2000	17	27
2001 (proposed)	14	25

One organization, NEAD, who has participated in the Adopt-A-Block program in the past, is proposing an alternative neighborhood beautification program in place of the regular program.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-32

Ordinance No. 2001-84
(Int. No. 86, As Amended)

Authorizing Agreements For The Adopt-A-Block Program

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations under the Adopt-A-Block Program:

Organization	Amount
Coalition of Northeast Associations (CONEA)	\$17,092
ISLA	17,092
North East Block Club Alliance (NEBCA)	17,092
South East Area Coalition (SEAC)	17,092
South Wedge Planning Committee	17,092
Lyell Area Revitalization Committee (LARC)	17,092
Southwest Area Neighborhood Association (SWAN)	17,092
West Main Business Association	[42,730] <u>51,276</u>

Section 2. The agreements authorized herein and additional Adopt-A-Block agreements shall obligate the City to pay an amount not to exceed \$213,650, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-85
Re: Agreement - Rochester-Genesee
Regional Transportation Authority,
Job Access Project

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester-Genesee Regional Transportation Authority, 1372 E. Main Street, for continued financial support of the Job Access Project. The maximum cost of this agreement will be \$75,000 which will be financed from the 2000-01 budget for Undistributed Expense.

The Job Access Project is intended to improve transportation options to locations that (1) contain substantial employment opportunities and (2) are not adequately served by regular public transportation. Such locations include the area south of Market-place Mall in Henrietta, along Routes 96 and 441 in Penfield and Perinton and along Ridge Road in Webster, where evening and weekend transit service is not provided.

To improve service, in 2000, RGRTA established circulator routes in these locations. Service is provided from the nearest existing fixed routes to employment sites within the areas.

Service is provided from 6:00 p.m. to Midnight on

weekdays and Saturday and 6:00 p.m. to 9:00 p.m. on Sunday. Daytime service is provided from 6:00 a.m. to 6:00 p.m. on Saturday and Sunday.

Service is provided every 45-60 minutes. The current regular fare of \$1.25, with transfer privileges, is charged on the circular routes.

The City's financial support of the project was authorized by the City Council on August 10, 1999. Under the proposed agreement, this support will continue.

The total annual cost of the project is \$600,000, which will be financed as follows:

Federal Transportation Authority Grant	\$300,000
RGRTA	150,000
Monroe County	75,000
City (proposed)	75,000
Total	\$600,000

The proposed City contribution is \$25,000 more than the present contribution.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-33

Ordinance No. 2001-85
(Int. No. 89)

Authorizing An Agreement With The Rochester-Genesee Regional Transportation Authority For Access-To-Jobs

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester-Genesee Regional Transportation Authority for the Access-To-Jobs Program.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$75,000, and said amount, or so much thereof as may be necessary, shall be funded from the 2000-01 Budget for Undistributed Expense.

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. 2001-86
Re: Agreement - Saphar & Associates,
Media Outreach Campaign

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Saphar & Associates, Inc., 185 Gibbs Street, for continuation of a media outreach campaign. The maximum cost of this agreement will be \$20,000, which will be financed from the 2000-01 budget for Undistributed Expense.

In May, 2000, the City began a pilot campaign to

enhance the visibility of Rochester in the national media. This campaign involves the preparation and dissemination of news releases, written articles and essays and "pitch" letters to national newspapers, magazines and wire services.

As a result of this campaign, articles about Rochester have been published in such magazines as *Inc.* and such newspapers as the *Wall Street Journal* and *Tallahassee Democrat*. Reports about Rochester have also been broadcast on National Public Radio. In the future, an article about Chevy Place is scheduled to be published in the April issue of *American City & County* and an article about the HUD Asset Control Program agreement is scheduled to be published in July/August issue of the *NAHRO Monitor*, the newsletter of the National Association of Housing and Redevelopment Officials.

Under the proposed amendatory agreement, Saphar will continue the pilot campaign for at least the next few months. An assessment of the effectiveness of the campaign will be made during the review process for the 2001-02 budget.

If the proposed amendatory agreement is approved, the total cost of the agreement with Saphar will increase to \$30,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-86
(Int. No. 97)

Establishing \$20,000 As Maximum Compensation For An Amendatory Professional Services Agreement For A Media Outreach Campaign

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Saphar & Associates, Inc. for the continuation of a media outreach campaign. Said amount shall be funded from the 2000-01 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-87
Re: Zoning Ordinance Amendment

Transmitted herewith for your approval is legislation amending various provisions of the Zoning Ordinance. This amendment will...

1. Replace the single section relating to both the Comprehensive Plan and Official Street Map with two separate sections;
2. Add *Rochester 2010: The Renaissance Plan* as a specific component of the Comprehensive Plan; and
3. Establish standards for the renaming of streets.

Ordinance No. 2001-87
(Int. No. 96)

The separation of the provisions of the ordinance relating to the Comprehensive Plan and Official Street Map reflects one of the recommendations included in the draft report of the Zoning Ordinance and Map Revision project. The addition of *Rochester 2010: The Renaissance Plan* to the section relating to the Comprehensive Plan reflects the adoption of the former plan by the City Council on April 13, 1999.

The establishment of certain standards for the renaming of streets reflects the recommendations of the Street Naming Committee, which was formed in response to a request from the Planning Commission. The committee consisted of representatives of the City Council Office, City Historian's Office, Department of Community Development, Emergency Communications Department and the Monroe County Department of Transportation.

The committee presented its report to the Commission in December, 2000. Among the findings of the report were that...

1. The primary purpose of street naming is to facilitate the location of properties;
2. Any secondary purpose, such as the honoring of individuals or the conveyance of status, is to be subordinate to this primary purpose;
3. The renaming of streets, or portions of streets can cause confusion and result in adverse financial effects upon property owners;
4. The renaming of streets should therefore be considered only under the following circumstances:
 - a. 75% of the affected property owners consent to the renaming, and
 - b. Any person for whom the renaming is requested has been deceased for at least one year.
5. The renaming of only portions of a street should be prohibited.
6. The memorialization of a street should be considered only if 51% of the property owners consent to the memorialization.
7. There are numerous suitable alternatives to honor people.

The Commission held an informational meeting on the proposed amendments on December 7; there was one speaker, who supported the amendments. The Commission recommended by a vote of 7-0 that the amendments be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the proposed amendments will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-34

**Amending Chapter 115 Of The Municipal Code,
Zoning Ordinance, With Respect To The Comprehensive Plan And Official Street Map**

WHEREAS, the Mayor and City Council of Rochester, New York wish to adopt guidelines governing street naming or renaming; and

WHEREAS, the Mayor and City Council of Rochester, New York find that the primary objective of the street names system on the Official Street Map is to enhance directional clarity and to facilitate locating property; and

WHEREAS, the Emergency Communications Department is responsible for the dispatching of emergency responders to properties throughout Rochester in a timely fashion without errors or delay. Clear and unduplicated naming of streets decreases the possibility of error and delays with the dispatching of emergency services to life and/or property incidents; and

WHEREAS, the Rochester Police Department, the Rochester Fire Department, and the various private ambulance companies must be able to respond to emergency dispatches with a sense of certainty about the location of the property in question; and

WHEREAS, maintaining the historical street names is also conducive to good city planning, contributes to the conservation of property values and to the protection of the investments by property owners, residents, businesses and other establishments; and

WHEREAS, street names have value as part of the development, heritage and cultural characteristics of the city, state, or nation and contribute to civic pride and wider public knowledge and appreciation of the heritage and history of the City of Rochester; and

WHEREAS, changing the names of segments of the same street presents the possibility of confusion and raises multiple safety concerns; and

WHEREAS, renaming streets or street segments on the Official Street Map to honor individuals, convey a certain image, or confer status upon a particular address are valid but secondary functions of the street naming system. Such functions should be considered only in rare cases and when they do not significantly impact the primary objectives; and

WHEREAS, there are numerous suitable alternatives to renaming streets on the Official Street Map as a means of honoring individuals; said alternatives include but are not limited to creating memorials on streets or segments of streets; naming public buildings, bridges, parks or playgrounds; designating ceremonial areas within parks and recreation areas; and dedicating public art projects; and

WHEREAS, a public memorial to an individual necessarily requires that said individual made substantial contributions to an important aspect of the cultural, social, civic or political life of the City of Rochester. In order to understand the context of such achievements, memorials should not be considered until sufficient time has elapsed following the death of such an individual.

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by deleting Section 115-23, Comprehensive Plan and Official Street Map, and by inserting in its place the following new sections:

§ 115-23. Comprehensive Plan.

A. Comprehensive Plan: Definition.

For the purpose of this Chapter, the Comprehensive Plan shall consist of the City's future land use development goals, policies and/or programs as they are contained in the adopted portions of the following:

- (1) Renaissance 2010 Plan;
- (2) Zoning Code and Official Zoning Map;
- (3) Subdivision Ordinance;
- (4) Official Street Map;
- (5) Capital Improvement Program;
- (6) Functional Street Classification Map; and
- (7) Adopted Urban Renewal Plans.

B. Comprehensive Plan: Purpose and Effect.

The Comprehensive Plan, or any part thereof, shall be considered an official statement of the City of Rochester with respect to the existing and developing character of various areas of the City; the proper objectives, standards and direction for the future maintenance, growth and development of the City; the means to be employed to protect existing character or development and to encourage future development that will be in the best interest of the City; and the actions and programs to be undertaken by the City with respect to its future maintenance and development. The Comprehensive Plan shall serve as a guide and resource for City officials and agencies in the performance of their duties but, except as otherwise provided in this Chapter and the codes and ordinances of the City, shall not be binding upon them.

C. Comprehensive Plan: Amendment.

Because the Comprehensive Plan consists of a number of related ordinances and documents, it shall be deemed to be amended as its subsidiary parts are amended or otherwise changed. Such amendments shall be adopted in accordance with the procedures set forth in other parts of the Code of the City of Rochester, such as § 115-26 of this chapter and Chapter 128 of the Code. In those instances where an amendment procedure is not otherwise provided in the Code of the City of Rochester, amendments to the Comprehensive Plan shall be adopted in accordance with the procedures set forth in § 115-26C and D.

D. Review of Public Projects; Scope of Review.

In addition to the projects involving public property or public funds referred to it for review as special permits in accordance with the procedures set forth in § 115-29 of this Chapter, and all other matters referred to it by this Chapter, the City Planning Commission shall review and report on all matters relating to the location of any public building, bridge, statue or monument, highway, park, parkway, square, playground or recreation ground or public open space within the City; the discontinuance, closing or abandonment of any public building or public highway; and any other land use matters of city-wide impact and importance referred to it by the Commissioner of Community Development, Mayor or City Council.

- (1) Procedure for Review and Construction.

(a) Within forty-five (45) days of any such submission, the Planning Commission shall review such plans for conformity to the Comprehensive Plan and, if necessary, shall confer with the submitting agency with regard to suggested alterations and shall transmit either its approval or disapproval of such plans to the submitting agency, stating in detail the reasons for such recommendation.

(b) If the Planning Commission has issued its approval or has failed to act with respect to a submission within forty-five (45) days or such longer period as may have been agreed to by the submitting agency, the submitting agency may then, but not before, proceed with work on the proposed project. If the Planning Commission has recommended disapproval, then the submitting agency shall undertake no work with respect to the proposed project unless it shall have first obtained express approval therefor from the City Council by ordinance duly adopted.

(c) No City official, agency or department shall issue any permit, approval or authorization necessary in conjunction with any public project subject to this provision, nor issue or authorize any funds or expenditures for such project, unless the agency responsible for such project shall have first obtained the approval of the Planning Commission or the City Council as herein required.

(d) In addition, the Mayor shall, before submitting the capital improvement program to the City Council, submit such program to the Planning Commission for its review and comments. The Mayor shall submit any comments of the Planning Commission to the City Council at the same time as the capital improvement program is submitted.

§ 115-23.1 Official Street Map.

A. Official Street Map: Definition, Purpose, Effect and Amendments.

The Official Street Map shall be a subsidiary part of the Comprehensive Plan which shall be developed, adopted and amended in accordance with the procedure hereinafter established, except that the currently existing Official Street Map of the City is hereby affirmed as the Official Street Map herein required. The Official Street Map herein defined is the Official Street Map authorized by § 26 of the New York General City Law.

B. Description.

The Official Street Map shall show the streets and parks laid out, adopted and established in the City and shall be final and conclusive with respect to the location and width of streets and the location of parks shown thereon.

C. Amendment Procedures.

(1) Street Abandonment.

An amendment of the Official Street Map abandoning dedicated right-of-way may be initiated by City Council, the Planning Commission or by the owner/owners of affected properties.

(2) Street Renaming.

An amendment of the Official Street Map renaming an existing dedicated street may be initiated by owners of seventy-five percent (75%) of the affected properties.

(3) Street Memorialization.

A memorialization of an existing dedicated street may be initiated by City Council, the Planning Commission or by owners of fifty-one percent (51%) of the affected properties.

(4) Other.

An amendment of the Official Street Map may be initiated by City Council, the Planning Commission, the City Engineer or by the owner/owners of property affected by the provisions of the Official Street Map sought to be amended.

(5) Amendments shall be initiated by an application addressed to the City Council and filed with the Director of Zoning. A nonrefundable application fee to help defray administrative costs of hearing shall accompany each such application.

D. Amendment Application.

(1) The application shall be in such form and contain such information as may from time to time be established by general rule of the Director of Zoning, but shall in no event contain less than the following information:

- (a) The name and address of the owner-applicant.
- (b) The name, residence and the nature and extent of the interest, as defined by §809 of the General Municipal Law of New York, of any state officer or any officer or employee of the City of Rochester or the County of Monroe in the owner-applicant or the subject property if known to the applicant.
- (c) The address(es) of the affected property(ies).
- (d) A map showing the proposed change in the Official Street Map.
- (e) A statement of the reason and necessity for the proposed change.
- (f) A statement of any other applications relating to the affected property which have been or are intended to be filed pursuant to this Chapter, the Subdivision Code or the Building Code.
- (g) A statement of the present use of the affected property and proposed change in such use.
- (h) Such other and further information as the Director of Zoning or the Planning Commission may deem to be necessary or appropriate to a full and proper consideration and disposition of the particular application.
- (i) In the case of street renamings or memorializations, the following additional information will be required:

[1] A Right-of-Way Naming Act Application approved by the 911 Program Office pursuant to Resolution 366, the Monroe County Right-of-Way Naming Act, in accordance with the New York State "Right-of-Way Naming Act of 1987".

[2] A statement documenting the significance of the proposed name.

[3] A statement documenting the significance of the existing street name.

[4] In the case of a street renaming, a petition containing the signatures of seventy-five percent (75%) of the owners on the affected street.

[5] In the case of a memorialization of a street, a petition containing the signatures of fifty-one percent (51%) of the owners on the affected street.

[6] A statement documenting the significance of the person to be honored.

(j) Street naming and renaming for a person shall also be subject to the following:

[1] Applications requesting the naming or renaming of a portion of a street shall be prohibited. A continuous street must have the same name throughout its length.

[2] Streets may not be named or renamed after a living person, except they may be named after a family prominent in local history even if family members are alive.

[3] An application for a naming or renaming shall not be filed until after the first anniversary of the person's death.

(2) Upon receipt of a completed application by the Director of Zoning, an information meeting shall be conducted by the Planning Commission.

(3) Within thirty (30) days of following the conclusion of such hearing, the Commission shall make its recommendation to the City Council with respect to the proposed amendment.

(4) Within thirty (30) days following the receipt of such recommendation, the City Council shall set, advertise and conduct a public hearing and shall by ordinance duly enacted either adopt or reject such amendment. At least five (5) days' notice of such public hearing shall be published at least once in a newspaper of general circulation.

E. Street Map Variance.

Upon the adoption of the Official Street Map, or any amendment thereto, no permit for any building in the bed of any street, drainage system or park shown thereon shall be issued by any official, board or agency of the City unless an Official Street Map variance has been authorized by the Zoning Board of Appeals following review by the City Engineer in accordance with the provisions of §115-32. Upon adoption of the Official Street Map, or any amendment thereto, no permit for any

building shall be issued unless a street shown on the Official Street Map, as amended from time to time, and improved in accordance with the requirements of the Subdivision Ordinance gives access to such building or unless a performance bond in lieu of such improvement has been provided in accordance with the provisions of § 36 of the New York General City Law and the Rochester Subdivision Code or unless a variance from such requirements has been granted by the Zoning Board of Appeals pursuant to §115-32.

F. Plan Filing.

The ordinance adopting the Official Street Map amendment shall provide that the Director of Zoning shall cause certified copies thereof to be placed on file in the offices of the Planning Commission, City Engineer and Director of Zoning and shall cause a certificate evidencing the adoption of such plan, or part thereof, to be filed with the County Clerk of Monroe County.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Mains
March 20, 2001

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 87 - Authorizing An Agreement For Operation Of The South Avenue Parking Garage

Int. No. 88 - Establishing \$15,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Expert Medical Services

Int. No. 94 - Amending The 2000-01 Budget

Int. No. 412 - Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement For The High Falls Film Festival

The Jobs, Finance, and Governance Committee recommends for consideration the following entitled legislation:

Int. No. 93 - Authoring A Non-Exclusive Franchise Agreement With Metricom, Inc. For Use Of The Public Rights-Of-Way And An Agreement With The County Of Monroe (Public Hearing To Be Held At The March 29, 2001 Special Council Meeting)

Respectfully submitted,
Tim O. Mains
Brian F. Curran
Nancy K. Griswold
Lois J. Giess
Gladys Santiago
JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2001-90

Re: Agreement - Donatelli, Inc.,
South Avenue Parking Garage

Transmitted herewith for your approval is legislation authorizing an agreement with Donatelli, Inc. (dba Ralph Parking Company, 120 East Avenue, for operation of the South Avenue parking garage.

The garage, which has a parking capacity of 1,850 spaces, currently is operated by Allright New York Parking under an agreement authorized by the City Council on December 16, 1997. This agreement has an initial term of three years with provision for renewal for two additional one-year periods.

The initial period expired on January 31, 2001 and Allright declined to renew the agreement. It is operating the garage on a month-to-month agreement until a new operator is selected.

Allright's declination reflects a reduction in gross revenue, from \$1,876,400 in 1997-98 to \$1,581,900 in 1999-00. The reduction results from less demand for both short-term parking, because of decreases in the number or size of local conferences at the Rochester Riverside Convention Center, and long-term parking, because of the relocation in November, 1999 of a unit of Finger Lakes Blue Cross/Blue Shield from rented space on Stone Street to its new building on Chestnut Street.

Proposals for operation of the garage in the future were solicited from 13 organizations. Three proposals were received.

	<u>Company</u>	<u>Proposal</u>
Present:	Allright	\$965,000
Proposed:	Allright	825,000*
	Donatelli	824,400
	A-M Parking	816,309*

*Include contingencies that do not conform to the proposal specifications.

Donatelli will provide all personnel required for operation of the garage, including cashiers, security guards and maintenance staff. It will be required to obtain approval from the City of the company recommended to security services.

Donatelli will be responsible for payment of all water consumption charges and the assessments of the Downtown Enhancement District. It will reimburse the City for the cost of electricity.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-90
(Int. No. 87)

Authorizing An Agreement For Operation Of The South Avenue Parking Garage

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Donatelli, Inc., D.B.A. Ralph Parking Company for operation of the South Avenue Parking Garage. Donatelli shall provide all personnel required for operation of the garage, including cashiers, maintenance staff, and, with City approval, security guards. Donatelli shall be responsible for paying all consumption charges, steam heat and Downtown Enhancement District charges, and to

reimburse the City for all electric costs. The agreement shall be for a term of three years, with an option to renew for two additional one-year terms.

Section 2. The agreement shall obligate Donatelli to pay to the City \$824,400 annually.

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. 2001-91
Re: Agreement - J. Richard Ciccone,
Medical Evaluation

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with J. Richard Ciccone, M.D., 300 Crittenden Boulevard, for an independent medical evaluation and expert witness services. The maximum cost of the agreement will be \$10,000, which will be financed from the 2000-01 budget of the Law Department.

The evaluation and other services are required for a lawsuit against the City by Vincent LaBarbera, who alleges that he suffers from post-traumatic stress syndrome as a result of the use of excessive force by a police officer during an arrest in May, 1998. In September, 2000, the Law Department executed an agreement with Dr. Ciccone to assist the City in responding to the lawsuit.

Under this agreement, Dr. Ciccone has been determining the nature and extent of the alleged psychological disorders and whether any such disorders are causally related to the arrest. He is also otherwise assisting the Law Department in preparation for a trial and, if required, provide testimony at the trial.

The fee for these services is \$400 per hour. Because of the complexity of the case, the present maximum cost of \$10,000 for the agreement is likely to be exceeded.

The proposed amendatory agreement will provide for payment of additional services, as required. If the amendatory agreement is approved, the total cost of the agreement with Dr. Ciccone will increase to \$20,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-91
(Int. No. 88)

Establishing \$15,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Expert Medical Services

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

Section 1. The sum of \$15,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and J.

Richard Ciccone, M.D., for expert medical services in a pending lawsuit. Said amount shall be funded from the 2000-01 Budget of the Law Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-92
Re: 2000-01 Budget Amendment

Transmitted herewith for your approval is legislation amending the 2000-01 Budget by transferring \$7,074,900 from the Contingency Account to various departmental budgets.

Salary and Wage Settlements

When the 2000-01 budget was approved by the City Council on June 20, 2000, negotiations concerning three labor agreements had only recently been completed or were still on-going. Accordingly, a provision for the incremental costs of these agreements had to be included in the Contingency Account.

On June 12, there had been a negotiated settlement with part-time Library employees represented by Civil Service Employees Association - Local 828. Subsequent to the budget adoption, on November 14, there was an arbitration award, from which the City representative dissented, for members of the Police Locust Club, while on December 1, there was a negotiated settlement with members of the International Association of Firefighters - Local 1071.

The settlements and arbitration provided for the following retroactive salary and wage increases;

	Library	Police	Fire
July 1, 1999	2.5%	2%	2%
January 1, 2000		2%	2%
July 1, 2000	2.5%	2%	2%
January 1, 2001		2%	2%

The proposed budget amendment will provide for the costs of the settlements and arbitration.

Library	\$ 42,100
Police	3,021,100
Fire	2,210,000
Undistributed (employee benefits)	1,227,300
Total	\$6,500,500

Police Department

As you are aware, on July 1, 2000, the Police Department assumed responsibility for operation of the Animal Control Center, after the Humane Society of Monroe County declined to renew its operating agreement. While provisions for such assumption were included in the department's budget, some expenses were underestimated.

For example, with respect to animal food, it was not known that the Humane Society had solicited and received a significant supply without charge. With the discontinuation of this practice by the City, purchases of food have increased.

With respect to veterinary services, the Humane Society primarily used its own personnel and did

not necessarily allocate the cost of all services to the Animal Control Center. Since the City does not have its own veterinarians, it has had to contract for such services.

Finally, a sergeant was assigned to supervise the transition. The original allocation for the Center did not include a provision for the costs of this temporary assignment.

Also, a recent audit indicated that the Police Department had not been charged by Monroe County for the rental of pagers during 1999-00. Therefore, rental costs for 24 months will have to be charged to the 2000-01 budget.

The proposed budget amendment will provide for these unanticipated costs.

Animal Control Center	\$145,000
Pager Rental	22,500
Total	\$167,500

Neighborhood Empowerment Team

After a review of the workload of the various NET offices, it was determined that additional personnel were required to adequately address the concerns of neighborhood residents. These additional personnel include three Assistant NET Administrators and three Executive Assistants.

The proposed budget amendment will provide for the costs of these additional personnel and associated additional equipment and furnishings.

Personnel	\$ 58,800
Operations	4,500
Equipment	27,200
Undistributed	16,900
Total	\$107,400

Unused Vacation Pay

Under the City's personnel policy, an employee is entitled to receive payment of the value of any unused vacation time upon separation from employment. During 2000-01, the number of people separating from the City has been higher than normal, primarily because of retirements.

The increase in the number of retirements is attributable to changes in the NYS Retirement and Social Security Law and a change in the City policy concerning medical insurance for retirees. Under the change in the retirement law, employees who were hired prior to July 1, 1976 receive additional service credits; under the change in City policy, Administrative/Professional/Technical employees who retire after December 31, 2000 are required to pay 5.20% of the cost of insurance.

Both changes provided an incentive for retirement. Because of the increase in the number of retirements, additional payments for unused vacation time were necessary.

The proposed budget amendment will provide \$200,000 for these additional payments.

Police and Fire Command Compensation

Command personnel in the Police and Fire Department are included in the APT employee classification. Their subordinates are represented by either the Locust Club or Local 1071.

Typically, salary increases for APT employees have been based on the increases negotiated for employees represented by the American Federation of State, County and Municipal Employees. In the recent past, the increases for police and fire personnel usually have resulted from arbitration awards.

The negotiated increases with AFSCME generally have been less than the increases resulting from the arbitration awards. As a result, the differential between the salaries for command and subordinate personnel has diminished, particularly when overtime payments for subordinate personnel are considered.

Recently, a review of the salary differentials was conducted. As a result of this review, various adjustments in the salaries for command personnel were recommended.

The proposed budget amendment will provide for these adjustments, which affect Police deputy chiefs and commanders and Fire deputy chiefs and the executive chief.

Police	\$47,400
Fire	45,000
Undistributed	7,100
Total	\$99,500

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-35

Ordinance No. 2001-92
(Int. No. 94)

Amending The 2000-01 Budget

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

Section 1. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by reducing appropriations for the Contingency Account by \$7,074,900 and increasing the following appropriations:

Fire	\$2,255,000
Police	3,236,000
Library	42,100
NET	90,500
Undistributed Expense	1,451,300
	\$7,074,900

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Introductory No. 412 was introduced November 14, 2000, and appears in its original form with its transmittal letter on page 335 of the 2000 Council Proceedings.

Ordinance No. 2001-93
(Int. No. 412)

Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement For The High Falls Film Festival

Passed unanimously.

The meeting was adjourned at 8:28 P.M.
CAROLEE A. CONKLIN
City Clerk

* * * * *

SPECIAL COUNCIL MEETING
March 29, 2001

Present - President Giess, Councilmembers Curran, Griswold, Santiago, Stevenson, Thompson - 6.

Absent - Douglas, Mains, Norwood - 3.

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.

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Authorizing A Non-Exclusive Franchise Agreement With Metricom, Inc. For Use Of The Public Rights-Of-Way And An Agreement With The County Of Monroe Int. No. 93 One speaker: Gregory Bushorr.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-94
Re: State Environment Quality Review -
Port of Rochester Harbor and Ferry
Terminal Public Improvements

Transmitted herewith for your approval is legislation approving the environmental findings statement for the Port of Rochester Harbor and Ferry Terminal Improvement Projects. Such approval is required by the NYS Environmental Quality Review Act and Chapter 48 of the City Code.

A draft generic environmental impact statement for the projects was prepared by LaBella Associates pursuant to an agreement authorized by the City Council on July 13, 1999. This DGEIS was published on January 18, 2001.

A public hearing on the DGEIS was conducted on February 6. Comments from the public were accepted through February 26.

The Rochester Environmental Commission reviewed the DGEIS and public comments on February 28 and prepared a Comment Summary and Disposition Report, which recommended several modifications to the DGEIS. Based upon these recommendations, a Final Generic Environmental Impact Statement was submitted to the Commission on March 16.

A copy of the Commission's Recommendations

Report was submitted to the Office of the City Clerk on March 20. The attached environmental findings statement was prepared by the Department of Environmental Services and is based on the FGEIS.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-36

Ordinance No. 2001-94
(Int. No. 98)

Adopting Environmental Findings For The Port Of Rochester Harbor & Ferry Terminal Projects

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

Section 1. The Council hereby adopts the environmental findings statement for Public Redevelopment at Focus Site No. 1 of the Local Waterfront Revitalization Plan, also known as the Port of Rochester Harbor & Ferry Terminal Projects.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-95
Re: Wireless Internet Service

Transmitted herewith for your approval is legislation relating to the installation of a wireless Internet service in Rochester. This legislation will authorize...

1. A non-exclusive franchise agreement with Metricom, Inc., of San Jose, for use of the public right-of-way; and
2. An agreement with Monroe County for collection and distribution of franchise fees.

Under the franchise agreement, Metricom will be authorized to install radios that permit the wireless transmission of Internet signals on light poles and fixtures, electroliers and other structures solely owned by the City. Metricom will be responsible for the repair of any damage to City facilities and for the costs of all electricity used by the radios.

As compensation for use of City facilities, Metricom will pay an annual fee of \$35 for each facility on which a radio is installed. It will also pay 5% of annual gross revenues resulting from the use of the wireless service, whether from direct customer or third party reseller billings.

The 5% fee will be aggregated with similar fees received by all jurisdictions within Monroe County with which Metricom has the same franchise agreement, which was developed by the Right-of-Way Subcommittee of the Council of Governments. One percent of the aggregated fees will be allocated to Monroe County, while 4% of the fees will be distributed to the participating jurisdictions based on population estimates from the 2000 census.

As additional compensation, participating jurisdictions will receive without charge a specified number of subscriptions to the Metricom service, which is

copyrighted as Richochet MCDN (Microcellular Digital Network). The City will receive 12 such subscriptions, based upon its population.

Metricom will be required to provide the City with a surety bond of \$10,000 and liability insurance of \$5 million per occurrence. It will also be required to indemnify the City for all applicable claims and losses.

The agreement will have an initial term of eight years with provision for renewal for three additional five year periods upon mutual consent.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the proposed franchise will not have a significant effect upon the environment since it is a Type II action. A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-95
(Int. No. 93)

Authorizing A Non-Exclusive Franchise Agreement With Metricom, Inc. For Use Of The Public Rights-Of-Way And An Agreement With the County Of Monroe

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

Section 1. Pursuant to Section 5-24 of the City Charter, the Council hereby grants a nonexclusive franchise to Metricom, Inc. to install radio transmitters on light poles and other appurtenances located in City rights-of-way for the provision of highspeed wireless internet access. Metricom shall be required to pay an annual fee of \$35 for each City-owned facility upon which a radio is installed, as well as a percentage of annual gross revenues from use of the service in the County, and to provide service subscriptions to the City. The franchise may extend for eight years, with options for three five-year renewals.

Section 2. The Mayor is hereby authorized to enter into an agreement with the the County of Monroe whereby the County shall receive 5% of Metricom's gross revenues from use of the service in the County, retain 1% and disburse 4% to participating municipalities according to a formula based upon population.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 6:12 P.M.

CAROLEE A. CONKLIN
City Clerk

* * * * *

REGULAR MEETING
April 17, 2001

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - none - 0.

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.

Recognition Ceremony

Proclamation: Franklin High School Basketball champions and coaches Curtis Bell, Trenton Jackson and Mike Demay.

Retirement:

Roberta DiLella, Department of Community Development
Carlton H. Landgraff, Department of Community Development
James E. Volke, Police Department
*Robert P. Siersma, Police Department
Louis M. Giancursio, Fire Department
Wendell Clark Heath, Jr., Department of Environmental Services

*Will not be attending.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Quarterly Reports:

Schedule of Revenue and Expenditures. 3668-7
Professional Service Agreements of \$10,000 or Less. 3669-7
Police Department Professional Standards Section Annual Report. 3670-7
Administrative Cancellation or Refund of Erroneous Taxes and Charges. 3671-7

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To Main Street Improvements Int. No. 102 No speakers.

Authorizing Changes In The Pavement Width Of Parsells Avenue As Part Of The Parsells Avenue Neighborhood Traffic Calming Project Int. No. 114 One speaker: Ralph Rosenburger.

Approving Change In Traffic Flow On Greeley Street Between Parsells Avenue And Grand Avenue From Two-Way To One-Way Southbound Int. No. 116 One speaker: Ralph Rosenburger.

Authorizing An Increase In The Pavement Width Of Parkdale Terrace Int. No. 117 No speakers.

Dedication Of Parcel To Street Purposes As A Part

Of The Parkdale Terrace Project Int. No. 119 No speakers.

Local Improvement Ordinance - Snow Removal At The Public Market Int. No. 108 No speakers.

Local Improvement Ordinance - Security At The Public Market Int. No. 109 No speakers.

Dedication Of A Parcel At 4050 Lake Avenue To Street Purposes And Abandoning It For Park Purposes As A Part Of The Lake Avenue Improvement Project And Reducing The Size Of The Parcel At 3917 Lake Avenue Dedicated In Ordinance No. 2000-41 One speaker: Joseph Falzone.

Authorizing Realignment Of Lake Avenue/River Street/St. John's Park Intersection No speakers.

Local Improvement Ordinance - Crittenden Boulevard/Lattimore Road Intersection Improvements No speakers.

Authorizing Changes In The Pavement Width Of Lattimore Road And Kendrick Road As A Part Of The Lattimore Road/Kendrick Road Improvement Project No speakers.

Local Improvement Ordinance - Establishment Of The River Street Neighborhood Commercial Parking Lot No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson
April 17, 2001

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 99 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$1,211,000 Bonds Of Said City To Finance The Reconstruction Of Various Water Mains In The City

Int. No. 100 - Establishing \$42,000 As Maximum Compensation For A Professional Services Agreement With Bergmann Associates For The Bridge Maintenance Program

Int. No. 101 - Establishing \$126,500 As Maximum Compensation For An Amendatory Agreement For Supplemental Environmental Investigation - 1200 East Main St.

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 102 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To Main Street Improvements

Int. No. 114 - Authorizing Changes In The Pavement Width Of Parsells Avenue As Part Of The Parsells Avenue Neighborhood Traffic Calming Project

Int. No. 115 - Acceptance Of A Permanent Easement For The Parsells Avenue Neighborhood Traffic Calming Project

Int. No. 116 - Approving Change In Traffic Flow On Greeley Street Between Parsells Avenue And Grand Avenue From Two-Way To One-Way Southbound

Int. No. 117 - Authorizing An Increase In The Pavement Width Of Parkdale Terrace

Int. No. 118 - Acceptance Of A Permanent Easement For The Parkdale Terrace Project

Int. No. 119 - Dedication Of Parcel To Street Purposes As A Part Of The Parkdale Terrace Project

Respectfully submitted,
Robert J. Stevenson
Tony M. Thompson
Lois J. Giess
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-96
Re: Bond Water Main Extensions and Improvements Program

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$1,211,000 and appropriating the proceeds thereof for the annual Water Main Extensions and Improvements Program.

The Water Main Extensions and Improvements Program provides for the scheduled replacement of deteriorated and inadequate water mains. There are approximately 598 miles of pipe within the City's distribution system; approximately 363 miles of this pipe are over 75 years of age, the expected useful life of water mains.

The proposed bond issue will finance water main improvements in the following locations:

Location	
From	To
Dakota Street	
Jay Street	North End
Lenox Street	
Genesee Street	West End
Satura Avenue	
Vixette Street	South End
Vixette Street	
Scottsville Road	Genesee Street
Whiteford Road	
Mt. Hope Avenue	E. Henrietta Road
Durham Street	
Main Street	Macbeth Street
Allen Street	
Brown Street	Litchfield Street
Magee Avenue	
Dewey Avenue	Lily Street
Maplewood Avenue	
500' South of Rose Street	South End
Master Street	
Waring Road	Bleacker Street
Lily Street	
Electric Avenue	Magee Avenue

These improvements which comprise approximately 1.8 miles of mains are designed to improve water pressure and flow for regular consumption and fire protection.

Bids for the improvements were received March 15. The work will be performed by Gordon J. Phillips, Inc. at a maximum cost of \$1,101,295, which is \$76,945 less than the engineering estimate; an additional \$109,705 (10%) will be provided for contingencies.

The improvements are scheduled to begin in May and be completed by December 2001. Project inspection will be performed by personnel from the Bureau of Water and Lighting.

Respectfully submitted,
William Johnson, Jr.
Mayor

Attachment No. AA-37

Ordinance No. 2001-96
(Int. No. 99)

**Bond Ordinance Of The City Of Rochester,
New York, Authorizing The Issuance Of \$1,211,000
Bonds Of Said City To Finance The Reconstruction
Of Various Water Mains In The City**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of certain water mains related to the 2001 Water Main Extension and Improvement Program in the City. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,211,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,211,000 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,211,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,211,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2001-97

Re: Agreement - Bergmann Associates,
Bridge Maintenance Program

Transmitted herewith for your approval is legislation authorizing an agreement with Bergmann Associates, 200 First Federal Plaza, for construction inspection services for the 2001 Bridge Maintenance Program.

The maximum cost of this agreement will be \$42,000, which will be financed from the 2000-01 Cash Capital allocation of the Department of Environmental Services.

The project involves repair of the bridge deck, curbs and sidewalks; replacement of bridge joints and bearings; and milling and resurfacing of approach pavement at the Driving Park Bridge.

The specifications for these repairs and improvements were prepared by Bergmann as part of the annual bridge maintenance program.

The estimated cost of the repairs and improvements is \$378,000, including contingencies. Actual construction bids will be received on April 2.

Construction is scheduled to begin in the summer and be completed in the fall. Bergmann is recommended to provide inspection services for the project of its familiarity with the bridge structures.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-38

Ordinance No. 2001-97
(Int. No. 100)

Establishing \$42,000 As Maximum Compensation For A Professional Services Agreement With Bergmann Associates For The Bridge Maintenance Program

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

Section 1. The sum of \$42,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for construction inspection services for the 2001 Bridge Maintenance Program. Said amount shall be funded from the 2000-01 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-98
Re: Agreement - Bergmann Associates,
Environmental Investigation

Transmitted herewith for your approval is legislation relating to environmental remediation of 1200 E. Main Street. This legislation will:

1. Authorize an amendatory agreement with Bergmann Associates, 200 First Federal Plaza, for additional remediation services, at a maximum cost of \$126,500; and
2. Appropriate \$76,000 from reimbursements anticipated to be received under the NYTS 1996 Clean Water/Clean Air Act to partially finance the cost of the agreement.

The remaining cost will be financed from the 1998-99

and 2000-01 Cash Capital allocations of the Department of Environmental Services.

1200 E. Main Street was acquired by the City through tax foreclosure proceedings on May 6, 1998. It formerly contained a gas station.

On February 19, 1999, the City Council authorized an agreement with Bergmann for environmental investigation of the site. This investigation indicated the existence of five underground tanks, which have been removed, and extensive areas of soil and groundwater contamination, which may be migrating off-site.

Under the proposed amendatory agreement, Bergmann will provide supplemental investigation services to further characterize the contamination, determine the extent of migration and develop and evaluate options for clean-up. The supplemental investigation will involve the installation of seven groundwater monitoring wells and the trenching of soil.

The supplemental investigation is expected to be completed by August. A Site Investigation/Remedial Alternatives Report will then be presented to the NYS Department of Environmental Conservation for approval.

Under the bond act, the City will be eligible to receive reimbursement of up to 75% of the costs of remediation. The State will also provide indemnification to the City and any subsequent owner of the property, which will be offered for sale.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-39

Ordinance No. 2001-98
(Int. No. 101)

Establishing \$126,500 As Maximum Compensation For An Amendatory Agreement For Supplemental Environmental Investigation - 1200 East Main St.

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

Section 1. The sum of \$126,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory agreement between the City and Bergmann Associates for a supplemental environmental investigation at 1200 East Main Street. Of said amount, \$76,000 shall be funded from the appropriation made in Section 2 hereof, \$15,500 shall be funded from the 1998-1999 Cash Capital Allocation and \$35,000 shall be funded from the 2000-01 Cash Capital Allocation.

Section 2. There is hereby appropriated from anticipated New York State Clean Water/Clean Air Bond Act funds the sum of \$76,000, or so much thereof as may be necessary, to finance the supplemental environmental investigation.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Local Improvement Ordinance No. 1475
Re: 2001-02 Downtown Enhancement
District Budget

Transmitted herewith for your approval is legislation approving the 2001-02 budget of the Downtown Enhancement District and authorizing the apportionment of the budget costs among the various properties in the District.

The District was originally authorized by the City Council on May 16, 1989 and was reauthorized on May 10, 1994 and again on May 11, 1999. It is designed to provide a special or enhanced level of care and maintenance in the downtown area.

Under the authorizing legislation, the annual budget for the district may not exceed the base (1989) amount "...increased annually, in a cumulative manner, by the Consumer Price Index...", unless a higher amount is specifically recommended by the district advisory council.

The maximum permissible budget for 2001-02, based upon the 12-year cumulative increase in the CPI (41.2%), is \$564,800. The recommended budget is \$492,700, which is \$8,100 (1.7%) higher than the 2000-01 amount.

Category of Expense	2000-01	Proposed 2001-02	Variance
Salaries & Wages	\$314,500	\$321,500	\$7,000
Employee Benefits	52,700	53,900	1,200
Personal Services	367,200	375,400	8,200
Materials & Supplies	89,800	90,100	300
Contractual Services	32,800	32,200	(600)
Operational Expense	489,800	497,700	7,900
Less Operating Revenues	(15,000)	(15,000)	0
Required Assessments	474,800	482,700	7,900
Reserve for Uncollected Accounts	9,800	10,000	200
Total	\$484,600	\$492,700	\$8,100

The increase in the allocation for salaries and wages and employee benefits reflects a negotiated settlement with Local 1635 of the American Federation of State, County and Municipal Employees. At its meeting on March 15, the Enhancement District Committee voted to adopt the proposed budget by 5 to 0.

The budget costs will continue to be allocated among the properties within the district in accordance with a two-factor, two-zone formula. With respect to factors, 50% will be allocated based upon the assessed valuation of a property, while 50% will be allocated based upon its gross area. With respect to zones, the allocation factors of properties directly on Main Street or with direct access to Main Street via the enclosed walkway system and within the primary district boundaries will be "weighed" at twice the factors of all other properties. All parking lots and garages, regardless of location, will be included in the latter category.

A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.

Mayor

Local Improvement Ordinance No. 1475
(Int. No. 102)

**Local Improvement Ordinance - Establishing
The Cost Of The Special Work And Services Related To Main Street Improvements**

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

Section 1. The cost of the special work and services for the 2001-02 fiscal year for the Main Street Enhancement District is established at \$492,700. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1291 as continued by Local Improvement Ordinance No. 1355 and Local Improvement Ordinance No. 1444.

Section 2. This ordinance shall take effect on July 1, 2001.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance Nos. 2001-99, 2001-100
And 2001-101
Re: Neighborhood Traffic Calming
Project - Parsells Avenue

Transmitted herewith for your approval is legislation relating to a neighborhood traffic-calming project on Parsells Avenue. This legislation will authorize...

1. Various changes in pavement width;
2. The acquisition of an easement; and
3. A change in the direction of traffic on Greeley Street, between Parsells and Grand Avenues, from two-way to one-way southbound.

The traffic-calming project, which extends from approximately 100' west of Chamberlain Street to approximately 300' east of Greeley Street, is intended to reduce traffic speed and improve pedestrian safety. The project involves...

1. A reduction in the pavement width to generally create a uniform width of 38-40', consisting of two 11' travel lanes and two 8' or 9' parking lanes;
2. The installation of curb "bump-outs" at the intersections of Chamberlain, Stout, Denver, and Greeley Streets, to further reduce the width to 26', consisting of two 13' travel lanes; and

3. The creation of a 3-space diagonal parking area on the southwest corner of Greeley Street.
The creation of the parking area will require relocation of the sidewalk. The owner of the adjacent property, who requested the additional parking and who will maintain the parking area, will donate the easement required for the sidewalk relocation at no charge.

In addition to the aforementioned improvements, the project will involve the installation of new curbs, catch basins and driveway aprons in the areas in which the pavement width will be reduced; sidewalk repair, as needed; and landscaping. The estimated cost of the project is \$325,700, which will be financed as follows:

Cash Capital Allocations	\$324,400
Monroe County (traffic)	1,300
Total	\$325,700

Construction of the project is expected to begin in July and be completed by September.

The change in traffic direction on Greeley Street was requested by 75% of the residents on the street. The change is intended to alleviate congestion and provide for safer passage around delivery vehicles.

A public informational meeting concerning the project was held on July 24, 2000. A copy of the minutes of the meeting is attached.

The Traffic Control Board endorsed the reduction in pavement width and change in traffic direction on April 3. Public hearings on the reduction and change are required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-40

Ordinance No. 2001-99
(Int. No. 114)

**Authorizing Changes In The Pavement Width
Of Parsells Avenue As Part Of The Parsells Avenue
Neighborhood Traffic Calming Project**

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

Section 1. The Council hereby approves the following changes in the pavement width of Parsells Avenue as a part of the Parsells Avenue Neighborhood Traffic Calming Project:

At Chamberlain Street,

- a. A decrease of 6' on the southern half of the street, from an existing 19-foot lane width to a proposed 13-foot lane width, beginning at a point 58 feet west of the southern section of Chamberlain Street and extending for a distance to the east of 192 feet; and
- b. A decrease of 6' on the northern half of the street, from an existing 19-foot lane width to a proposed 13-foot lane width, beginning at a point 54 feet west of the northern section of Chamberlain Street and extending for a distance to the east of 108 feet.

At Stout Street,

- a. A decrease from the existing variable 38-foot to 45-foot width to a proposed 38-foot width, beginning at a point 183 feet west of the southern section of Stout Street and extending for a distance to the east of 105 feet;
- b. A decrease from the existing variable 45-foot to 50-foot width to a proposed 26-foot width, beginning at the latter point and extending for a distance to the east of 135 feet; and,
- c. A decrease from the existing 50-foot width to a proposed 32-foot width, beginning at the latter point and extending for a distance to the east of 12 feet; and,

- d. A decrease from the existing variable 40-foot to 50-foot width to a proposed 40-foot width, beginning at the latter point and extending for a distance to the east of 231 feet.

At Denver Street,

- a. A decrease from the existing variable 40-foot to 41-foot width to a proposed 40-foot width, beginning at a point 108 feet west of the southern section of Denver Street and extending for a distance to the east of 43 feet;
- b. A decrease from the existing variable 41-foot to 43-foot width to a proposed 32-foot width, beginning at the latter point and extending for a distance to the east of 40 feet;
- c. A decrease from the existing variable 43-foot to 50-foot width to a proposed 26-foot width, beginning at the latter point and extending for a distance to the east of 70 feet;
- d. A decrease from the existing 50-foot width to a proposed 33-foot width, beginning at the latter point and extending for a distance to the east of 92 feet; and,
- e. A decrease from the existing variable 40-foot to 50-foot width to a proposed 40-foot width, beginning at the latter point and extending for a distance to the east of 160 feet.

At Greeley Street,

- a. A decrease from the existing variable 40-foot to 50-foot width to a proposed 40-foot width, beginning at a point 299 feet west of the southern section of Greeley Street and extending for a distance to the east of 232 feet;
- b. A decrease from the existing 50-foot width to a proposed 40-foot width, beginning at the latter point and extending for a distance to the east of 27 feet;
- c. A decrease from the existing 50-foot width to a proposed 26-foot width, beginning at the latter point and extending for a distance to the east of 98 feet;
- d. A decrease from the existing 50-foot width to a proposed 33-foot width, beginning at the latter point and extending for a distance to the east of 18 feet;
- e. A decrease from the existing variable 40-foot to 50-foot width to a proposed 40-foot width, beginning at the latter point and extending for a distance to the east of 212 feet; and
- f. A widening along the south side beyond the width described of 13 feet to provide diagonal parking beginning at a point 54 feet west of the southern section of Greeley Street and extending for a distance to the east of 30 feet.

Section 2. Such changes and additional changes as a part of the Parsells Avenue Neighborhood Traffic Calming Project 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.

Ordinance No. 2001-100
(Int. No. 115)

Acceptance Of A Permanent Easement For The Parsells Avenue Neighborhood Traffic Calming Project

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

Section 1. The Council hereby approves the acceptance of a permanent easement over a portion of the parcel at 441 Parsells Avenue from the current owners, Theodore R. Stafford and Goldie V. Stafford, for the construction and maintenance of municipal improvements as a part of the Parsells Avenue Neighborhood Traffic Calming Project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-101
(Int. No. 116)

Approving Change In Traffic Flow On Greeley Street Between Parsells Avenue And Grand Avenue From Two-Way To One-Way Southbound

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

Section 1. The Council hereby approves a change in direction of the traffic flow on Greeley Street between Parsells Avenue and Grand Avenue from two-way to one-way southbound.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance Nos. 2001-102, 2001-103
And 2001-104

Re: Traffic Management - Parkdale Terrace

Transmitted herewith for your approval is legislation relating to the management of traffic on Parkdale Terrace. This legislation will:

1. Authorize an increase of 12' in the width of the pavement on Parkdale Terrace, from Lake Avenue to a point 264' to the east;
2. Authorize the acquisition of an easement for the area in which the increase will occur; and
3. Amend the Official Map to dedicate this area as additional right-of-way.

The increase relates to the proposed development by Benderson Development Company, Inc. of an Eckert store at 1470-1490 Lake Avenue. The increase will permit a left turn lane to be installed on Parkdale Terrace at its intersection with Lake Avenue.

The left turn lane is intended to avoid or alleviate

traffic congestion resulting from the restriction on traffic direction that was requested by neighborhood residents. Vehicles exiting on Parkdale Terrace from the store's parking lot will be permitted to turn only west, towards Lake Avenue.

The installation of the left turn lane will require the acquisition of an easement on the north side of Parkdale Terrace. Benderson will provide the easement at no cost.

The easement area will be dedicated as additional right-of-way. The Planning Commission held a hearing concerning the dedication on April 9; the Commission recommended by a vote of 6-0 that the dedication be approved.

The Traffic Control Board endorsed the increase in pavement width on February 20. Public hearings on the increase and the Official Map amendment are required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-41

Ordinance No. 2001-102
(Int. No. 117)

Authorizing An Increase In The Pavement Width Of Parkdale Terrace

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

Section 1. The Council hereby approves a twelve foot (12') increase in the pavement on Parkdale Terrace, from twenty four feet (24') to thirty six feet (36'), beginning at Lake Avenue and extending easterly for two hundred sixty four feet (264').

Section 2. Such changes and additional changes as a part of the Parkdale Terrace Project 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.

Ordinance No. 2001-103
(Int. No. 118)

Acceptance Of A Permanent Easement For The Parkdale Terrace Project

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

Section 1. The Council hereby approves the acceptance of a permanent easement over a portion of the parcel at 1470 Lake Avenue from the current owner, Benderson Development Corporation, for the construction and maintenance of municipal improvements as a part of the Parkdale Terrace Project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-104
(Int. No. 119)

Dedication Of Parcel To Street Purposes As A Part Of The Parkdale Terrace Project

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 dedicating the following parcel to street purposes and adding said parcel to Parkdale Terrace:

All that tract or parcel of land, being part of lot 9, 20000 Acre Tract situated in the Phelps and Gorham Purchase, City of Rochester, County of Monroe, State of New York, and being more particularly bounded and described as follows:

Beginning at the intersection of the northerly right-of-way line of Parkdale Terrace with the easterly right-of-way line of Lake Avenue; thence,

1. Northerly, along the easterly right of way line of Lake Avenue, a distance of 26.51 feet to a point; thence
2. Southeasterly along a line with forming an included angle with course 1 of 49° 45' 24", a distance of 25.08 feet to a point; thence
3. Easterly, along a line forming an included angle with course 2 of 230° 23' 17", a distance of 144.18 feet to a point; thence
4. Southeasterly along a line forming an included angle with course 3 of 171° 56' 03", a distance of 47.40 feet to a point in the northerly right of way line of Parkdale Terrace; thence
5. Westerly along the northerly right of way line of Parkdale Terrace and forming an included angle with course 4 of 8° 05' 59", a distance of 211.77 feet to the point of beginning.

Section 2. The changes authorized herein shall take effect upon acquisition of an easement over said parcel by the City.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Douglas
April 17, 2001

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 103 - Authorizing An Application And Agreements For The 2001 Summer Food Service Program For Children

Int. No. 104 - Authorizing Agreements For Human Services Projects

Int. No. 105 - Authorizing An Amendatory Agreement For The Families And Friends Of Murdered Children Project

Int. No. 106 - Authorizing Agreements With The County Of Monroe For Funding For Police Services

Int. No. 107 - Establishing \$25,000 As Maximum Compensation For An Agreement With The Rochester/Monroe County Freedom Trail Commission

Int. No. 120 - Establishing \$98,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Architectural And Engineering Services For The New Public Safety Building

Int. No. 121 - Establishing \$29,000 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Baden Park Playground Improvements Project

Int. No. 122 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$316,000 Bonds Of Said City To Finance Improvements To The Baden Park Playground Owned By The City

The Public Safety/Public Services Committee recommends for consideration the following entitled legislation:

Int. No. 108 - Local Improvement Ordinance - Snow Removal At The Public Market

Int. No. 109 - Local Improvement Ordinance - Security At The Public Market

Respectfully submitted,
Benjamin L. Douglas
Robert J. Stevenson
Tony M. Thompson
Gladys Santiago
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-105
Re: Agreements - 2001 Summer Food Service Program

Transmitted herewith for your approval is legislation relating to the 2001 Summer Food Service Program for children. This legislation will authorize agreements with:

1. The NYS Department of Education for the receipt and use of such funds as may be allocated to the City for the 2001 program; and
2. The City School District for preparation and delivery of the breakfasts and lunches to be provided under the program.

The Summer Food Service Program is designed to provide free meals during the summer to children 18 years of age and younger. Persons over age 18 who are determined by a state or local educational agency to be mentally and physically disabled, and who participate in a public or private non-profit program for children with disabilities during the school year, are also eligible to participate in the meal program.

The City School District has certified that more than 50% of its total enrollment is eligible for free or

reduced price school meals. As a result, all areas of the city are eligible for the program.

Since 1976, the program has been administered by the Department of Parks, Recreation and Human Services. Meals have been prepared and are delivered to the program sites by the City School District.

Until 1993, the program provided only lunches. In 1993, the provision of breakfast at selected sites began. In 1994, breakfasts were extended to all sites. Following is a summary of participation in both aspects of the program during the past 10 years.

Lunch:

Year	Average Daily Participation	Total No. of Meals Reimbursable
2000	4,083	179,647
1999	4,347	191,248
1998	4,403	193,751
1997	4,773	200,447
1996	4,300	189,221
1995	3,847	169,245
1994	3,407	149,918
1993	3,002	132,097
1992	3,330	136,661
1991	3,010	102,340
1990	3,113	99,640

Breakfast:

Year	Average Daily Participation	Total No. of Meals Reimbursable
2000	2,067	90,976
1999	2,169	95,412
1998	2,182	96,014
1997	2,369	99,514
1996	2,005	88,238
1995	1,510	66,457
1994	1,202	53,307
1993	560	24,837

In 2001, the program will operate at approximately 110 sites for 44 days (June 25 through August 24), the same number of days as last year's program. The selection of the specific sites will be based on their proximity to summer youth employment and other human services projects, and the past performance of the sites with the food services program.

The City School District will again prepare and deliver meals for the program, at the following unit costs:

	2000 Costs	2001 Costs	USDA 2001 Guideline
Breakfast	\$.98	\$1.02	\$1.28
Lunch	1.93	1.97	2.23

Provision for the Summer Food Service Program will be included in the revenue estimates and appropriations of the 2001-02 budget of DPRHS. A grant of \$531,300 is anticipated, based upon a projected total of 97,000 breakfasts and 188,000 lunches. This total also includes \$54,000 for administrative costs and \$8,000 for refuse collection.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-105
(Int. No. 103)

Authorizing An Application And Agreements

For The 2001 Summer Food Service Program For Children

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the New York State Department of Education for the funding for the 2001 Summer Food Service Program For Children.

Section 2. The Mayor is hereby further authorized to enter into an agreement with the City School District for the preparation and delivery of meals pursuant to the program, contingent upon receipt of such funding.

Section 3. The agreement shall obligate the City to pay an amount based on the unit cost of the meals, not to exceed \$469,300, and said amount, or so much thereof as may be necessary, shall be funded from the 2001-02 budget of the Department of Parks, Recreation and Human Services, contingent upon approval of said budget and receipt of said funding.

Section 4. The application and agreements shall contain such additional 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. 2001-106
And Ordinance No. 2001-107
Re: Agreements - Human Services Programs

Transmitted herewith for your approval is legislation authorizing agreements or an amendatory agreement with the following organizations for human services projects.

Organizations

Project	Amount
Monroe County Manufacturing Partnership	
Career Bridge	\$ 5,000
Planned Parenthood	
In Control	3,000
YMCA of Greater Rochester	
Teen Center	9,910
Eastside Community Center	
Families and Friends of Murdered Children & Victims of Violence	20,000

The cost of the agreements will be financed from the General Community Needs allocation of the 1999-00 and 2000-01 Community Development Block Grants.

The first three projects are classified as projects with matching funds and are therefore eligible for up to five years of funding. The proposed agreements represent the first year of funding.

The amendatory agreement with Eastside will provide for the transition of management of the project. The present director will retire in one month and then become a consultant to the project for a maximum of three months.

Project descriptions and budgets are attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-42

Ordinance No. 2001-106
(Int. No. 104)

Authorizing Agreements For Human Services Projects

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for Human Services Projects in amounts not to exceed the following:

<u>Organization</u>	<u>Amount</u>
Project	
Monroe County Manufacturing Partnership	
Career Bridge	\$5,000
Planned Parenthood	
In Control	3,000
YMCA of Greater Rochester	
Teen Center	9,910

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$17,910, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs allocation of the 1999-2000 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-107
(Int. No. 105)

Authorizing An Amendatory Agreement For The Families And Friends Of Murdered Children 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 agreement with the Eastside Community Center for the Families and Friends of Murdered Children Project.

Section 2. The amendatory agreement shall obligate the City to pay an amount not to exceed \$20,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect im-

mediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-108
Re: Agreements - Monroe County, Police Programs

Transmitted herewith for your approval is legislation authorizing four agreements with Monroe County for the receipt and use of funds totaling \$899,781 for police firearms instruction, patrol services and the NYS Stop Driving While Intoxicated Program.

Police Firearms Instruction

Since 1980, the County has coordinated firearms training for the members of the 12 police agencies in the county. It also has provided an ammunition allowance to each police agency whose officers participate in the training.

The firearms training is provided by two instructors from the City's Police Department. Under the first proposed agreement, the County will reimburse the City for most of the cost of these two positions.

The current cost is about \$154,220. The expected reimbursement of \$111,350 is the same as the 2000 amount and represents about 72% of the total costs.

Under the second agreement, the County will provide an ammunition allowance to the City of \$17,380, also the same as the 2000 amount. This allowance, \$25.45 per police officer, is the same as the 2000 amount.

The allowance will represent 32% of the City total budget allocation for about 280,000 rounds of training ammunition. This ammunition is used for the following firearms training.

<u>Training</u>	<u>Number of Rounds Per Officer</u>
Basic Recruit	
Handgun	2,000
Shotgun	100
Rifle	60

In-Service

Standard Handgun	150
Judgment Handgun	30
Tactical Handgun	25
Tactical Shotgun	20

This training - in terms of type and duration - significantly exceeds the standards specified by New York State.

Patrol Services

Since 1982, the County has also provided grants to the City for police patrol services. These grants reflect a recognition of the significant number of suburban residents who work, shop and recreate in the city, necessitating a higher level of police patrol services.

Under the third agreement, the City will receive a grant of \$550,000 to assist in financing the cost of these services. This amount is the same as the 2000 amount.

Stop-DWI Program

The Stop-DWI program was initiated in 1981. It is designed to enhance the ability of local law enforcement agencies to prevent or respond to DWI offenses.

Under the program, a portion of all fines levied against persons convicted for DWI is allocated to the counties in which the offenses occurred. In Monroe County, a portion of this allocation is reallocated to those municipalities that have their own police forces and, therefore, their own anti-DWI activities. This allocation is based upon relative population.

Since 1984, when the reallocation began, the City has received \$2,729,904 from the program. These funds have been used to finance anti-DWI enforcement activities, which consist of the overtime assignment of patrol section personnel, the provision of related training and the acquisition and maintenance of required equipment.

Under the fourth agreement, in 2001 the City will receive an allocation of \$221,051, which is \$11,845 less than the 2000 amount. This allocation will be used for the following purposes.

Traffic Enforcement	\$149,796
Underage Sales Enforcement	25,000
Equipment Acquisition/Repair	33,455
Supplies	800
Training	<u>12,000</u>
Total	\$221,051

Provision for the receipt and use of the four grants is or will be included in the 2000-01 and 2001-02 budgets of the Police Department.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-108
(Int. No. 106)

Authorizing Agreements With The County Of Monroe For Funding For Police Services

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

Section 1. The Mayor is hereby authorized to enter into agreements with the County of Monroe for funding under the New York State Stop-DWI Program, for reimbursement for the salaries and benefits of firearms instructors and ammunition for training, and for reimbursement for the costs of police services to County residents residing or working in Rochester.

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.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-109
Re: Agreement - Rochester/Monroe
County Freedom Trail Commission

Transmitted herewith for your approval is legislation

authorizing an agreement with the Rochester/Monroe County Freedom Trail Commission for financial support of its 2001 work program. The maximum cost of this agreement will be \$25,000, which will be financed from the 2000-01 budget for Undistributed Expense.

As indicated previously, the Commission, which is comprised of 15 people, was established by the City and County in February, 2000. It is intended to support local implementation of the NYS Freedom Trail Act of 1997 and the federal National Underground Railroad Network to Freedom Act.

The Acts provide for the identification, documentation, preservation and promotion of historic sites on the Underground Railroad, the route used by slaves in their flight to freedom. Rochester contained several important "stations" on the railroad.

During 2001, the Commission plans to complete several projects, which are described in the attachment. The budgets for each of the projects, as well as an allocation for operations, are also indicated.

As may be seen, the total proposed budget for the Commission is \$49,900. This budget will be financed equally by the City and County.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-43

Ordinance No. 2001-109
(Int. No. 107)

Establishing \$25,000 As Maximum Compensation For An Agreement With The Rochester/Monroe County Freedom Trail Commission

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

Section 1. The sum of \$25,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and the Rochester/Monroe County Freedom Trail Commission for support of its 2001 work program. Said amount shall be funded from the 2000-01 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.
Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-110
Re: Agreement - Bergmann Associates,
Public Safety Building Project

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Bergmann Associates, 200 First Federal Plaza, for additional architectural and engineering services relating to the Public Safety Building Project. The maximum cost of this agreement will be \$98,000, which will be financed from the proceeds of a bond issue previously authorized by the City Council for the project.

The original agreement with Bergmann for design of the new building was authorized by the Council on February 16, 1999. An amendatory agreement,

for inclusion within the building of the Bureau of Information Systems was authorized on January 18, 2000.

Recently, the space allocation for the Bureau was reviewed. This review resulted in an increase in the allocation.

To accommodate this increase, the location, the Fire Administration Unit, which was originally allocated the space adjacent to the Bureau, was relocated to the sixth floor, to an area adjacent to the Police Administration Unit. The Information Systems Unit of the Police Department, which was originally allocated space on the sixth floor, was relocated to the fifth floor, to an area adjacent to the Bureau of Information Systems.

The proposed amendatory agreement will provide for payment of the cost of the additional design services associated with the space reallocation. It will also provide for the additional architectural and engineering services associated with additional project meetings required by a delay in the delivery of steel.

Space reallocation	\$68,000
Additional project meetings	30,000
Total	\$98,000

If the amendatory agreement is approved, the total cost of the agreement with Bergmann will increase to \$1,375,500.

Construction of the building is expected to be completed in the spring of 2002.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-110
(Int. No. 120)

Establishing \$98,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Architectural And Engineering Services For The New Public Safety Building

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

Section 1. The sum of \$98,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Bergmann Associates for additional architectural and engineering services for the new Public Safety Building. Said amount shall be funded from Bond Ordinance No. 2000-82.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-111 and
Ordinance No. 2001-112
Re: Bond - Baden Park Playground

Transmitted herewith for your approval is legislation relating to improvements at the Baden Park playground. This legislation will:

1. Authorize the issuance of bonds totaling \$316,000 and appropriate the proceeds thereof to finance the cost of the improvements; and
2. Authorize an agreement with The Sear-Brown Group, 85 Metro Park, for resident project representation services, at a maximum cost of \$29,000, which will be financed from the aforementioned bond issue.

The improvements were designed by the Bureau of Architecture and Engineering. They include reconstruction of the tennis and basketball courts; refurbishing of the handball wall and court and baseball infields; installation of new walkways, fencing, benches and trash receptacles; and landscaping.

Bids for the construction of the improvements were received on February 5. The work will be performed by Seneca Roadways, Inc., at a cost of \$275,600; an additional \$11,400 (4%) will be allocated for contingencies.

Construction of the project is expected to begin and be completed in June. Sear-Brown is recommended to provide inspection services because of the qualifications of the personnel to be assigned to the project and its ability to provide the required services within the time period specified by the City.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-111
(Int. No. 121)

Establishing \$29,000 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Baden Park Playground Improvements Project

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

Section 1. The sum of \$29,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Sear Brown Group for resident project representation services for the Baden Park Playground Improvements Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Said amount shall be funded from a Bond Ordinance for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-112
(Int. No. 122)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$316,000 Bonds Of Said City To Finance Improvements To The Baden Park Playground Owned By The City

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 improvements to the Baden Park Playground owned by the City. The estimated

maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$316,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$316,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$316,000 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 \$316,000. 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 the Ordinance, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years.

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Local Improvement Ordinance No. 1476
And Local Improvement Ordinance No. 1477
Re: Public Market Snow Removal and
Security Services

Transmitted herewith for your approval is legislation approving the appropriations and assessments for snow removal and security services at the Public Market.

The snow removal district was established by the City Council on May 22, 1990, while the security services district was established by the Council on August 13, 1991. Both districts include 18 properties that are adjacent to the Public Market. The Department of Parks, Recreation and Human Services provides special snow removal and security services, including plowing and salting, as necessary. The security services include foot patrols from 5:00 p.m. to 5:00 a.m. on Monday through Saturday and all day Sunday and certain holidays.

Part of the cost of these services is apportioned among the properties within the district. These assessments include (1) a fixed fee for each property and (2) an additional fee for each front foot of each property.

Three of the properties are now owned by the City of Rochester. Although the portion of the assessment assigned to them was used for the determination of the total assessment, the sum of the three City-owned properties was subtracted from the total assessment levied as an efficiency measure.

In 2001-02 for snow removal services, the fixed fee will be \$100 per property while the footage fee will be \$2.12 per foot. The total amount of assessment will be \$5,324.16, which is \$106.62 less than the 2000-01 amount.

	Approved 2000-01	Proposed 2001-02
Fixed Fee	\$ 100.00	\$
100.00		
Number of Properties	18	18
Fixed Fee Total	\$1,800.00	\$1,800.00
Footage Fee	\$ 2.20	\$
2.12		
Footage	1,662.34	
1,662.34		
Footage Fee Total	\$3,657.14	\$3,524.16
Total Assessment	\$5,457.14	\$5,324.16
Less City Portion	(749.92)	
(733.56)		
Adjusted Assessment	\$4,707.22	\$4,590.60

For security services, the fixed fee will be \$990 per property, while the front footage fee will be \$5.09 per foot. The total amount of the assessment will be \$26,281.31, which is the same as the 2000-2001 amount.

	Proposed 2001-02
Fixed Fee	\$ 990.00
Number of Properties	18
Fixed Fee Total	\$17,820.00
Footage Fee	\$ 5.09
Footage	1,662.34
Footage Fee Total	\$ 8,461.31
Total Assessment	\$26,281.31
Less City Portion	(4,010.96)
Adjusted Assessment	\$22,270.35

A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Local Improvement Ordinance No. 1476
(Int. No. 108)

Local Improvement Ordinance - Snow Removal At The Public Market

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

Section 1. The Council authorizes special snow plowing and salting services for the Public Market during the fiscal year from July 1, 2001 to June 30, 2002.

Section 2. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2001-02 year shall be \$4,590.60. The amount to be assessed against each parcel shall include a fee of one hundred dollars (\$100.) per parcel plus two dollars and twelve cents (\$2.12) per foot of frontage that receives plowing and/or salting services. The frontage may be on

more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services. The parcels to be assessed are as follows:

Property Address SBL No.	Front Footage
248 N. Union St. 106.660-0001-014	558.27
171 Railroad St. 106.670-0001-078	190.25
156 Public Market 106.670-0001-074	126.31
160 Public Market 106.670-0001-075	42.58
166 Public Market 106.670-0001-076	35.62
60 Public Market 106.590-0003-008	40
64-66 Public Market 106.590-0003-009	40
68-70 Public Market 106.590-0003-010	40
50-52 Public Market 106.590-0003-006	40
55-57 Public Market 106.590-0003-007	40
59 Pennsylvania Ave. 106.590-0003-005.1	81.50
35 Pennsylvania Avenue 106.590.0003-002.1	120
16-18 Public Market 106.590-0003-001	40
25 Pennsylvania Avenue 106.580-0003-026	40
17-23 Pennsylvania Avenue 106.580-0003-027	40
15 Pennsylvania Avenue 106.580-0003-028	40
11 Pennsylvania Avenue 106.580-0003-029	19.57
9 Pennsylvania Avenue 106.580-0003-030	128.24

Section 3. The snow plowing and salting services shall be provided by competitive contract. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the tax bill issued on July 1, 2001 and shall be due in one installment.

Section 5. This ordinance shall take effect on July 1, 2001

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1477
(Int. No. 109)

Local Improvement Ordinance - Security At The Public Market

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

Section 1. The Council authorizes special security services for the Public Market during the fiscal year from July 1, 2001 to June 30, 2002.

Section 2. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council directs that half the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2001-02 year shall be \$22,270.35. The amount to be assessed against each parcel shall include a fee of nine hundred ninety dollars (\$990.) per parcel plus five dollars and nine cents (\$5.09) per foot of frontage. The frontage may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services. The parcels to be assessed are as follows:

<u>Property Address</u>	<u>Front Footage</u>
<u>SBL No.</u>	
248 N. Union St. 106.660-0001-014	558.27
171 Railroad St. 106.670-0001-078	190.25
156 Public Market 106.670-0001-074	126.31
160 Public Market 106.670-0001-075	42.58
166 Public Market 106.670-0001-076	35.62
60 Public Market 106.590-0003-008	40
64-66 Public Market 106.590-0003-009	40
68-70 Public Market 106.590-0003-010	40
50-52 Public Market 106.590-0003-006	40
55-57 Public Market 106.590-0003-007	40
59 Pennsylvania Ave. 106.590-0003-005.1	81.50
35 Pennsylvania Avenue 106.590.0003-002.1	120
16-18 Public Market 106.590-0003-001	40
25 Pennsylvania Avenue 106.580-0003-026	40
17-23 Pennsylvania Avenue 106.580-0003-027	40
15 Pennsylvania Avenue 106.580-0003-028	40
11 Pennsylvania Avenue 106.580-0003-029	19.57
9 Pennsylvania Avenue 106.580-0003-030	128.24

Section 3. The security services shall be provided by competitive contract. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the

tax bill issued on July 1, 2001 and shall be due in one installment.

Section 5. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

By Councilmember Norwood
April 17, 2001

To the Council:

The Housing and Community Development committee recommends for adoption the following entitled legislation:

Int. No. 110 - Authorizing The Sale Of Real Estate And Extending The Time For The Front Street Abandonment, As Amended

Int. No. 111 - Accepting Donation Of Real Estate

Respectfully submitted,
Wade S. Norwood
Benjamin L. Douglas
Nancy K. Griswold
Gladys Santiago
HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-113 and
Ordinance No. 2001-114
Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the sale of four properties and the acceptance of the donation of one property.

The first sale involves 143 Parkwood Road, which will be sold to its former owner. The sale price includes all delinquent taxes, interest and penalties.

The other three properties to be sold - 167-169 Conkey Avenue, 2 Emanon Street and 61 Scrantom Street - are considered unbuildable because of their size. They will be sold for \$1.00 to the owners of adjacent properties and combined with those properties.

The property to be donated, 41 Lime Street, contains a vacant single-family structure that was formerly used by the Rochester Housing Authority for rental housing. Following acquisition the property will be offered for sale as owner-occupant housing.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-44

Ordinance No. 2001-113
(Int. No. 110, As Amended)

Authorizing The Sale Of Real Estate And Ex-

tending The Time For The Front Street Abandonment

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

[Section 1. The Council hereby approves the sale of the following parcel of improved property to the former owner:

Address S.B.L.#	Price	Purchaser
143 Parkwood Rd. 075.65-2-63	\$5,787.78	Anthony Pezzulo]

Section [2] 1. The Council hereby further approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address S.B.L.#	Sq. Ft.	Purchaser
167-169 Conkey Ave. 106.29-1-58	3130±	Israel V. Campbell
2 Emanon St. 091.61-1-35	2450	Darick D. Scott
61 Scrantom St. 106.37-3-18	5940	Joseph & Betty McNeill

Section [3] 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 Council hereby extends the deadline for compliance with the conditions established in Ordinance No. 99-384 for the abandonment of Front Street from April 15, 2001 to October 15, 2001, except that all related real property agreements shall be executed by May 31, 2001.

Section 4. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

Ordinance No. 2001-114
(Int. No. 111)

Accepting Donation Of Real Estate

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

Section 1. The Council hereby approves the acceptance of the donation of 41 Lime Street, SBL #105.740-0003-025, from the current owner, Rochester Housing Authority.

Section 2. Upon acquisition by the City, City taxes and other charges against said parcel shall be canceled. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be canceled. Said parcel shall be accepted free and clear of any other outstanding liens or encumbrances.

Section 3. This ordinance shall take effect im-

mediately.

Passed unanimously.

By Councilmember Mains
April 17, 2001

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 112 - Approving Amendments To The Land Use Plan Of The Cultural District To Permit New Construction And A Loan To The Developer And Rescinding Ordinance No. 99-230

Int. No. 113 - Cancellation of Taxes and Charges

Respectfully submitted,
Tim O. Mains
Nancy K. Griswold
Lois J. Giess
Gladys Santiago
JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-115
Re: Cultural District

Transmitted herewith for your approval is legislation relating to the Cultural District. This legislation will:

1. Rescind the amendment of the Land Use Plan for the Cultural Center Project that was previously approved by the City Council and approve a different amendment; and

2. Authorize a loan of \$1,500,000 from the East End Garage Reserve Fund to 130 East Avenue, LLC (Armory Development and Management) rather than 130 East Avenue, LLC (Mark IV Construction Co., Inc.).

The original Land Use Plan was approved by the City Council on September 9, 1990. Under this plan, Block L of the Cultural District was designated for parking purposes.

In 1982, the East End garage was constructed on most of Block L. The remaining portion, which contains approximately 18,700 square feet, has been used as a surface parking lot.

On June 24, 1999, the Council approved an amendment of the Land Use Plan to provide for construction on the parking lot area of a seven-story building with approximately 50 apartments, 30 extended stay units and commercial space on the ground floor, at an estimated cost of \$11.1 million. The Council also approved a loan of \$1.5 million to the developer of the project.

The developer, 130 East Avenue, LLC (Mark IV Construction Co., Inc.) was unable to obtain the financial commitments required for the project within the time period specified by the Cultural Center Commission. As a result, the Commission rescinded the sale of Block L to the developer and solicited new development proposals.

Under the proposal submitted by Armory Development and Management, a six-story building with approximately 35 apartments and commercial and retail space on the first and second floors will be constructed. The estimated cost of the project is \$7.5 million.

Of this amount, \$1.5 million will be financed with the loan from the Reserve Fund of the East End Garage, which is owned by the Commission but operated by the City under an agreement. The Reserve Fund currently has an unappropriated balance of about \$4.1 million.

The loan will have a term of 15 years and an interest rate equivalent to the City's borrowing rate. It will be secured by a mortgage on the property, which will be subordinated only to bank loans totaling \$5,250,000.

Construction of the project is expected to begin in September and be completed by September, 2002.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-45

Ordinance No. 2001-115
(Int. No. 112)

Approving Amendments To The Land Use Plan Of The Cultural District To Permit New Construction And A Loan To The Developer And Rescinding Ordinance No. 99-230

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

Section 1. The Council hereby approves amendments to the Land Use Plan of the Cultural District as approved by the Cultural Center Commission in Resolution No. 3 of 2001 to allow for the development of a combined apartment and commercial/retail building on a parcel located at 130-160 East Avenue, with development plans approved by the Cultural Center Commission.

Section 2. The Council hereby approves a loan of \$1,500,000 by the Cultural Center Commission in accordance with Resolution No. 3 of 2001 of the Cultural Center Commission from the Metro Center East End Garage Reserve Fund to the developer of the new building at 130-160 East Avenue, which loan shall be secured by a mortgage and contain such other terms and conditions as may be approved by the Cultural Center Commission.

Section 3. The Mayor is hereby authorized to enter into such agreements with the County of Monroe and/or the Cultural Center Commission as may be necessary to effectuate this loan. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. Ordinance No. 99-230, relating to development of a parcel located at 130-160 East Avenue, is hereby rescinded.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-116
Re: Cancellation or Refund of
Erroneous Charges

Transmitted herewith for your approval is legislation approving the cancellation of charges totaling \$2,525. The charges relate to code violation fines and property rehabilitation costs incurred by the former owner of the property, which was involved in a mortgage foreclosure.

If this cancellation is approved, total cancellations for 2000-01 will be \$268,864.73.

	<u>Accounts</u>	<u>Amounts</u>
City Council	25	\$212,328.61
Administrative	222	56,536.12
Total	247	\$268,864.73

These cancellations represent .14% of the taxes receivable as of July 1, 2000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-116
(Int. No. 113)

Cancellation Of Taxes And Charges

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

Section 1. The City Treasurer is authorized to cancel the following City taxes and charges:

- a. Present owner purchased property at mortgage foreclosure sale on June 22, 2000. Rehab and code violation charges were against former owner. Charges remain unpaid.

S.B.L.#: 107.640-0003-024
Class: H
Address: 1085 Garson Ave.
Tax Year: 2001
Amount Canceled: \$2,525.00

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:37 P.M.

CAROLEE A. CONKLIN
City Clerk

* * * * *

SPECIAL COUNCIL MEETING
April 26, 2001

Present - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Absent Councilman Curran - 1.

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.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-117
Re: Agreement - U.S. Army Corps Of Engineers, Genesee River Dredging

Transmitted herewith for your approval is legislation authorizing an agreement with the U.S. Army Corps of Engineers for the dredging of the Genesee River outside the federally-designated navigational channel. The maximum cost of this agreement will be \$30,000, which will be financed from the 1999-00 and 2000-01 Cash Capital allocations of the Department of Environmental Services.

As you aware, the Port of Rochester Harbor and Ferry Terminal Project plan provides for the realignment of the portion of Beach Avenue east of Lake Avenue; reconstruction and extension of River Street from Stutson Street into the port area; reconstruction of the portion of Latta Road east of Lake Avenue; construction of a new road from River Street extending to Petten Street; construction of new access roads from Lake Avenue into the port area; parking and other infrastructure improvements; construction of a customs station, berthing or docking facility and transient marina; and the installation of new pedestrian trails along the river. An agreement for design of these improvements, by LaBella Associates, was authorized by the City Council on July 13, 1999.

To accommodate the proposed fast ferry and other large vessels that are expected to utilize the port in the future, dredging of the northern part of the river along the river wall will be required. A permit for such dredging has been obtained.

The area to be dredged is between the "notch" adjacent to Ontario Beach Park south to the Monroe County boat launch. This area extends for 1,300'.

Since the area is outside the navigational channel, a private contractor could provide the dredging services. However, it would be quicker and probably would be less costly for USACE to do so since it already dredges the channel.

The dredging will be performed in the late spring or early summer. USACE will remit to the City all funds not expended for the costs of dredging.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-46

Ordinance No. 2001-117
(Int. No. 123)

Establishing \$30,000 As Maximum Compensation For An Agreement For Dredging Services In The Genesee River

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

Section 1. The sum of \$30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and the United States Army Corps of Engineers for dredging services in the Genesee River. Of said amount, \$3,000 shall be funded from the 1999-2000 Cash Capital Allocation and \$27,000 shall be funded from the 2000-01 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-118,
Local Improvement Ordinance No. 1478
And Ordinance No. 2001-119
Re: Lake Avenue Improvement Project

Transmitted herewith for your approval is legislation relating to the Lake Avenue Improvement Project. This legislation will authorize...

1. The realignment of the intersection of Lake Avenue, River Street and St. John's Park;
2. An amendment to the Official Map by dedicating a portion of the City property at 4050 Lake Avenue as additional public right-of-way;
3. The establishment of a neighborhood commercial parking lot near the realigned intersection; and
4. A decrease in the amount of land dedicated as public right-of-way at 3917 Lake Avenue, from 149 square feet to 104 square feet.

The improvement project, which extends from a point 700' south of Burley Road to a point 160' south of Pollard Avenue, is being designed by The Sear-Brown Group under an agreement authorized by the City Council on August 19, 1997. Besides the aforementioned changes in pavement width and intersection realignment, the project involves reconstruction of the pavement; replacement of water services and hydrants

and mains, as necessary; installation of new curbs, catch basins, driveway aprons and sidewalks; traffic improvements; and landscaping.

Previously, the project also involved the extension of the Genesee River Trailway, from the east end of Boxart Street to the new O'Rourke (Stutson Street) bridge. However, because of property right problems, the trailway improvements have been eliminated from the Lake Avenue project and will be completed as a separate project in the future.

The intersection realignment will require the alienation of a portion of the parkland at 4050 Lake Avenue. The land will be dedicated as public right-of-way through an amendment of the Official Map.

The Planning Commission held a public hearing on the amendment on April 9; a representative of the Department of Environmental Services was the only speaker. The Commission recommended by a vote of 6-0 that the dedication be approved.

The neighborhood commercial parking lot will be constructed in accordance with the policy approved by the Council on June 12, 1979. The annual costs of maintenance will be apportioned to the four commercial properties that will benefit from its construction on the basis of the proportional number of spaces that they are currently deficient.

The estimated initial maintenance cost is \$1,386, which will be apportioned as follows:

River Street Address	Apportionment	Amount
2	57.3%	\$ 793
8	17.6	245
12	2.5	35
16-18	22.6	313
Total	100.0%	\$1,386

The decrease in the amount of land previously dedicated by the Council as public right-of-way is requested by the adjacent property owner, Chase Bank. The decrease will permit the bank to retain the corporate emblem presently embedded within the sidewalk.

Construction of the project is scheduled to begin in 2001 and be completed in 2002. The estimated cost of construction is \$10,000,000.

Public informational meetings concerning the project were held on April 12 and 14, June 7 and 8, 1999; December 5, 2000; and January 31 and March 21, 2001. The minutes of the last two meetings are attached; the minutes of the other meetings were previously forwarded to the Council.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, the proposed dedication of additional public right-of-way has been determined to not have a significant effect upon the environment since it is a Type II action.

Public hearings on the dedication and changes in pavement width were held on April 17.

Respectfully submitted,
William A. Johnson, Jr.
Mayor
Attachment No. AA-47

Ordinance No. 2001-118
(Int. No. 124)

Authorizing Realignment Of Lake Avenue/River Street/St. John's Park Intersection

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

Section 1. The Council hereby approves the realignment of the Lake Avenue/River Street/St. John's Park intersection.

Section 2. Such changes and additional changes as a part of the Lake Avenue Public Improvement Project 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.

Councilman Stevenson moved to amend Introductory No. 125.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Local Improvement Ordinance No. 1478
(Int. No. 125, As Amended)

Local Improvement Ordinance - Establishment Of The River Street Neighborhood Commercial Parking Lot

WHEREAS, the Council wishes to create a ten-year assessment district for the operation and maintenance of the River Street Parking Lot.

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

Section 1. The River Street parking lot shall be operated and maintained for a period of ten years, commencing with the 2001-02 year. Such operation and maintenance shall include but not be limited to snow plowing, cleaning, [landscaping,] maintenance[, lighting] and parking regulation enforcement.

Section 2. The Council hereby finds that the operation and maintenance of such parking lot will benefit the parcels of commercial property within a district described as follows:

Address	SBL Number
2 River Street	061.21-01-29
8 River Street	061.21-01-28
12 River Street	061.21-01-27
16-18 River Street	061.21-01-26

Such district is hereby defined to be the special assessment district for the operating and maintenance costs of the River Street parking lot, and the full amount of the annual operating and maintenance costs of such parking lot shall be annually assessed against the parcels of commercial property within such district for each of the next ten years.

Section 3. The Council hereby finds that the operation and maintenance of the River Street parking lot benefits each parcel of commercial property within the

special assessment district according to each parcel's "parking space requirement". "Parking space requirement" is defined for purposes of this ordinance as the number of off-street parking spaces required for that property under the City's zoning ordinance, minus any parking spaces presently existing for the property. Thus, the annual operating and maintenance costs of the River Street parking lot shall be allocated each year among the properties within the district in proportion to each parcel's "parking space requirement", based on its use at the beginning of that fiscal year.

Section 4. The cost of such operation and maintenance is estimated to be \$1,386 for the 2001-02 year, and such amount shall be billed as special assessments against the parcels of property within the district for the 2001-02 year. The amount to be billed for succeeding years shall be determined each year by a separate local improvement ordinance. Such amounts shall be appropriated from the special assessments. Such assessments shall be billed each year on the regular tax bill for the parcels of property within the district.

Section 5. The Council hereby determines that it is impracticable to have the parking lot operating and maintenance work done by competitive contract, and therefore authorizes the Mayor to enter into annual agreements for each of the next ten years with the merchants benefited by the parking lot, or an organization established by the merchants, to perform the annual operating and maintenance work.

Section 6. This ordinance shall take effect immediately.

Bracketed material deleted.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

Ordinance No. 2001-119
(Int. No. 126)

Dedication Of A Parcel At 4050 Lake Avenue To Street Purposes And Abandoning It For Park Purposes As A Part Of The Lake Avenue Improvement Project And Reducing The Size Of The Parcel At 3917 Lake Avenue Dedicated In Ordinance No. 2000-41

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 dedicating the following parcel to street purposes, abandoning it for park purposes, and adding said parcel to Lake Avenue:

DESCRIPTION OF LANDS TO BE DEDICATED AS RIGHT OF WAY FOR HIGHWAY PURPOSES ON LANDS OF CITY OF ROCHESTER LOCATED AT 4050 LAKE AVENUE

All that tract or parcel of land containing 660 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Dedicated," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated February 09, 2001, and having drawing No. 14880 SU-17, and being more particularly bounded

and described as follows:

Beginning at the intersection of the existing easterly right-of-way line of Lake Avenue (80' R.O.W.) with the existing westerly right-of-way line of River Street (66' R.O.W.), said point also being the southwest property corner of lands owned now or formerly by City of Rochester; thence

1. N 20°03'44" E, along the existing easterly right-of-way line of Lake Avenue, a distance of 62.31 feet to a point; thence
2. S 69°56'16" E, a distance of 21.20 feet to a point on the existing westerly right-of-way line of River Street; thence
3. S 38°50'53" W, along said westerly right-of-way line, a distance of 65.82 feet to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

Section 2. Ordinance No. 2000-41, dedicating parcels to street purposes as a part of the Lake Avenue Improvement Project, is hereby amended by amending the description of the parcel of land at 3917 Lake Avenue to be dedicated to street purposes as set forth in Section 1 thereof to read in its entirety as follows:

DESCRIPTION OF PARCEL TO BE DEDICATED FOR HIGHWAY PURPOSES LOCATED AT 3917 LAKE AVENUE

All that tract or parcel of land containing 104 square feet, more or less, situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "Parcel To Be Acquired," prepared by The Sear-Brown Group, Inc., of Rochester, New York, dated September 30, 1999, and having drawing No. 14880 SU-14, and being more particularly bounded and described as follows:

Beginning at the intersection of the existing westerly right-of-way line of Lake Avenue (76' R.O.W.) with the existing northerly right-of-way line of Denise Road (49.5' R.O.W.), said point also being the southeast property corner of lands owned now or formerly by The Chase Manhattan Bank; thence

N 89°33'19" W, along the existing northerly right-of-way line of Denise Road, a distance of 17.47 feet to a point; thence

N 68°04'55" E, a distance of 20.58 feet to an angle point; thence

N 38°34'07" E, a distance of 19.64 feet, more or less, to a point on the existing westerly right-of-way line of Lake Avenue; thence

Southwesterly, along said westerly right-of-way line, a distance of 27.01 feet, more or less, to the Point or Place of Beginning.

Subject to any easements or encumbrances of record.

Section 3. Ordinance No. 2000-40, acquisition of parcels as a part of the Lake Avenue Improvement Project, is hereby amended by reducing the size of the parcel of land at 3917 Lake Avenue to be acquired for street purposes as set forth in Section 1 thereof from approximately 149 square feet to approximately 104

square feet as set forth in Section 2 above.

Section 4. The changes authorized herein shall take effect upon acquisition of said parcels by the City.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-120,
Ordinance No. 2001-121 and
Local Improvement Ordinance No. 1479

Re: Lattimore/Kendrick Road
Improvement Project

Transmitted herewith for your approval is legislation relating to the Lattimore/Kendrick Road Improvement Project. This legislation will authorize;

1. Various changes in pavement width on both roads;
2. Acquisition of 30-year easements on four properties owned by the University of Rochester and a temporary easement on another property owned by the university; and
3. Appropriation of \$75,000 from the Local Improvement Fund to finance the costs of special street features at the intersection of Lattimore Road and Crittenden Boulevard and the subsequent assessment of this amount against the university.

The improvement project, which is being designed by Passero Associates under an agreement authorized by the City Council on October 12, 1999, extends on Lattimore Road from Elmwood Avenue to Crittenden Boulevard and on Kendrick Road from Lattimore Road to Westmoreland Road. Besides the aforementioned changes in pavement width, the project involves rehabilitation of the pavement; replacement of hydrants and non-copper water services; installation of new curbs, catch basins, and sidewalks; street lighting improvements; traffic modifications; installation of bicycle and pedestrian trails; and landscaping.

The changes in pavement width are designed to provide uniform 13' travel lanes in each direction and 10' turn lanes where appropriate. The changes at the intersection of Lattimore and Kendrick Roads will also reduce the size of the intersection and improve sight lines and traffic safety.

Because of the reconfiguration of the intersection, the entrance to one of the university's parking lots will be relocated from the intersection to a point 200' to the south. The existing traffic signal will be replaced with stop signs at both the intersection and the relocated parking lot entrance.

The five easements are to be provided by the university without charge. The 30-year easements will be used for the construction of the bicycle and pedestrian trails while the temporary easement will be used for relocation during construction of the entrance to one of the university's parking lots.

The special street features will include a highly visible, textured concrete crosswalk at the intersection of Crittenden Boulevard and Lattimore Road. The university will reimburse the City for the cost of

design, construction and inspection upon completion of the work.

Construction of the project is scheduled to begin in the summer of 2001 and be substantially completed in the summer of 2002. The estimated cost of construction is \$1,814,000.

Improvement	Estimated Cost
Street	\$1,163,000
Trail	414,000
Water	45,000
Sewer	61,000
Traffic	56,000
Special Features	75,000
Total	\$1,814,000

This cost will be financed from Cash Capital allocations, the proceeds of a sewer bond previously authorized by the Council, anticipated reimbursements from Monroe County and the special assessment.

A public information meeting for the project was conducted on May 20, 2000. A copy of the minutes of this meeting is attached.

The Traffic Control Board endorsed the proposed changes in pavement width on March 6. A public hearing on the changes was held on April 17.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-48

Ordinance No. 2001-120
(Int. No. 127)

**Authorizing Changes In The Pavement Width
Of Lattimore Road And Kendrick Road As A Part
Of The Lattimore Road/Kendrick Road Improve-
ment Project**

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

Section 1. The Council hereby approves the following changes in the pavement width of Lattimore Road and Kendrick Road as a part of the Lattimore Road/Kendrick Road Improvement Project:

- a. On Kendrick Road, a pavement widening from a variable width to a uniform, curbed width of 36 feet, beginning at the northeast curb line of Westmoreland Road to a point 1,002 feet further north;
- b. A reconfiguration of the Kendrick Road/ Lattimore Road intersection;
- c. On Lattimore Road, a narrowing of 14 feet, from 40 feet to a uniform width of 26 feet, beginning at the southwest curb line of Castleman Road to a point 382 feet northwesterly;
- d. On Lattimore Road, a narrowing to effect a pavement transition, from 26 feet to 36 feet beginning at a point 382 feet west of the west street line of Castleman Road to a point 145 feet further northwesterly;
- e. On Lattimore Road, a narrowing in the intersection of Kendrick Road to provide a 36-foot pavement, beginning at a point 527 feet west of

the west street line of Castleman Road to a point 85 feet further northwesterly;

- f. On Lattimore Road, a narrowing to provide a 36-foot pavement, beginning at a point 732 feet south of the south street line of Crittenden Boulevard to the south curb line of Crittenden Boulevard, some 750 feet further north;
- g. On Lattimore Road, a narrowing eliminating a traffic lane northbound to provide a single 13-foot lane, beginning at a point 17 feet north of the north street line of Crittenden Boulevard to a point 140 feet further north; and
- h. On Lattimore Road, a narrowing to provide a 90-foot pavement transition and restore two lanes of traffic, northbound, beginning at a point 140 feet north of the north street line of Crittenden Boulevard.

Section 2. Such changes and additional changes as a part of the Lattimore Road/Kendrick Road Improvement Project 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.

Ordinance No. 2001-121
(Int. No. 128)

Acceptance Of Easements From The University Of Rochester

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

Section 1. The Council hereby approves the acceptance of thirty-year easements across the following parcels from the current owner, the University of Rochester, to construct and maintain a public trail and to provide access to the trail:

<u>Address</u>	<u>SBL No.</u>	<u>Area (Sq. Ft.)</u>
275 Elmwood Avenue	135.670-0001-002.001	4,171.4
0000R Joseph C. Wilson Blvd.	135.520-0001-001	796.5
260 Crittenden Boulevard	135.600-0001-006	7,346.2
300-400 Kendrick Road	135.750-0001-001	25,389.0

Section 2. The Council hereby further approves the acceptance of a temporary construction easement from the University of Rochester for the relocation by the City of the driveway entrance to University of Rochester Parking Lot No. 1 to the south for safety purposes.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Local Improvement Ordinance No. 1479
(Int. No. 129)

Local Improvement Ordinance - Crittenden Boulevard/Lattimore Road Intersection Improvements

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

Section 1. The Council hereby authorizes the installation of special street features at the Crittenden Boulevard/Lattimore Road intersection in the form of a special crosswalk and replacement of existing curbs and sidewalks.

Section 2. The Council hereby finds that the special work will benefit the following parcel of property:

<u>Owner</u>	<u>Property Address</u>	<u>SBL No.</u>	<u>Amount</u>
Univ. of Rochester	260 Crittenden Blvd.	135.600-1-6	\$75,000

Section 3. Such district is hereby defined to be the Special Assessment District for the payment of additional costs relating to the special work. The Council hereby finds that the special work benefits the parcel of property, and the costs of such special work shall be allocated to the parcel.

Section 4. The cost of improvements and work described in Section 1, including the cost of any necessary professional design and engineering work, not to exceed \$75,000, plus interest at a rate 1% above the City's "latest borrowing rate" on the unpaid balance, shall be assessed on the property within the limits of the district of assessment described above, in the amount set forth above. The Council hereby deems such property to be benefited by such improvements and proper to be assessed therefor. The City's "latest borrowing rate" shall be the most recent rate at which the City shall have sold long-term bonds prior to the date of initial billing of the assessments.

Section 5. The assessments shall be billed after the completion of the improvements and work described, and shall be due upon completion of the work. Any assessment not paid by May 15 after its due date may be added to the upcoming annual tax bill for the property.

Section 6. The total cost of said improvements and work, up to \$75,000, shall be charged as described in this ordinance and paid from the local improvement fund, and said amount, or so much thereof as may be necessary, is hereby appropriated for this purpose.

Section 7. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-122
Re: Agreement - B&R Productions, Inc.,

Transmitted herewith for your approval is legislation authorizing an agreement with B&R Productions, Inc. (principal: Bobby Warren), 76 Orchard Creek Circle, for talent booking and stage and concession management services. The maximum cost of this agreement will be \$23,500, which will be financed

from the 2000-01 budget of the Department of Parks, Recreation and Human Services and the Rochester MusicFest Trust Fund.

The booking services relate to the "Rhythm Nights" concert series and the MusicWeek gospel concert. The stage management services relate to the gospel concert, while the concession services relate to the "Rhythm Nights" and two other concerts at Manhattan Square Park.

The "Rhythm Nights" concerts will be presented on four consecutive Saturday evenings, beginning June 23. The concerts will include performances by national and regional jazz and rhythm and blues artists.

Besides booking the artists, B&R Productions will provide a production manager for the concert and hospitality for the artists. It provided similar services for the three "Rhythm Nights" concerts that were presented during 2000, which were attended by an estimated 6,000 people.

The gospel concert is scheduled to be presented at the Public Market on July 15. The concert is intended to be a prelude to promotion of the MusicFest, which will occur on July 21 and 22 in Genesee Valley Park.

In consideration for exclusive vending rights for the "Rhythm Nights" concerts, the July 4th concert of the Rochester Philharmonic Orchestra, and the Bluegrass Festival on August 4, B&R Productions will pay to the City \$1,000 plus 25% of the net revenue from food and beverage sales. In 2000, total revenues received by the City were \$4,317.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilwoman Griswold moved to amend Introductory No. 130.

The motion was seconded by Councilwoman Santiago.

The motion was adopted unanimously.

Ordinance No. 2001-122
(Int. No. 130, As Amended)

Establishing \$23,500 As Maximum Compensation For A Professional Services Agreement For The Rhythm Nights Concert Series And MusicFest Week Gospel Concert And Amending Ordinance No. 2001-59

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

Section 1. The sum of \$23,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and B&R Productions, Inc. for booking artists for the "Rhythm Nights" concert series and the MusicFest Week gospel concert, and stage management for this gospel concert. Of said amount, \$[8,000] 6,000 shall be funded from the [2000-01] 2001-02 Budget of the Department of Parks, Recreation and Human Services, contingent upon approval of said budget, [and] \$15,500 is hereby appropriated from the Rochester MusicFest Trust Fund and \$2,000 is hereby appropriated from the Rochester Events Network Fund. The agreement shall also provide B&R Productions, Inc. exclusive

rights to vend food and beverages to the public at six City sponsored events at Manhattan Square Park, in exchange for the sum of \$1,000 and 25% of the net revenue from the food and beverage sales.

Section 2. Ordinance No. 2001-59, relating to an agreement with Source One Marketing Communications to provide sponsorship solicitation and service, festival development and volunteer coordination for the 2001 Rochester MusicFest, is hereby amended to provide for Source One Marketing Communications to retain 5% of the income from retention of past sponsorships, which amounts are hereby appropriated from anticipated revenue from the MusicFest Trust Fund.

Section 3. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-123
Re: CONECTS Program

Transmitted herewith for your approval is legislation relating to the CONECTS program involving adolescent pregnancy prevention services. This legislation will:

1. Authorize agreements with:
 - a. The NYS Office of Children and Family Services, for the receipt of a grant of \$319,700, and
 - b. The six agencies that comprise the CONECTS consortium; and
2. Appropriate the grant funds to finance the cost of the agreements and the cost associated with administration of the grant.

The CONECTS program, which was initiated in 1984, involves a consortium of the six agencies listed below. The Council on Teen Pregnancy provides program coordination and direction to the consortium, while the City serves as lead agency.

CONECTS is designed to reduce the rate of teen pregnancy, enhance the sense of responsibility of young fathers and provide various services to pregnant or parenting teenagers. A project description is attached.

The costs of the program are financed from grants from the NYS Office of Children and Family Services. An agreement for the receipt of the 2000-01 grant was authorized by the City Council on August 22, 2000.

This agreement provided for a grant of \$319,696. However, the grant period was subsequently revised to coincide with the state's fiscal year and only seven months of funding totaling \$186,489 was actually received.

The proposed grant will be for a 12-month period and will be allocated among the members of the consortium as follows:

Original

	<u>2001-02</u>	<u>2000-01</u>
Action for a Better Community	\$ 44,900	\$44,829
Catholic Family Center	13,323	12,500
Puerto Rican Youth Development	44,934	44,334
Threshold Center for Youth	46,367	46,367
Urban League of Rochester	37,000	36,000
YWCA of Rochester & Monroe County	47,829	47,429
Subtotal	234,353	231,459
Administration	85,347	88,237
Total	\$319,700	\$319,696

The Monroe County Council on Teen Pregnancy will be authorized to reallocate funds among the members of the consortium as required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-49

Ordinance No. 2001-123
(Int. No. 131)

Authorizing Agreements For The Adolescent Pregnancy Prevention Services Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Children and Family Services for the receipt and use of funding for the operation of the Adolescent Pregnancy Prevention Services Grant Program.

Section 2. The Mayor is hereby authorized to enter into agreements with the following organizations in amounts not to exceed the following for services under the New York State Adolescent Pregnancy Prevention Services Grant Program:

<u>Organization</u>	<u>Amount</u>
Action for a Better Community	\$44,900
Catholic Family Center	13,323
Puerto Rican Youth Development	44,934
Urban League of Rochester	37,000
YWCA of Rochester & Monroe County	47,829
Threshold	46,367

Section 3. The agreements shall obligate the City to pay an amount not to exceed \$234,353. The sum of \$319,700, or so much thereof as may be necessary, is hereby appropriated from the funds to be received from the New York State Office of Children and Family Services to fund the agreements and the cost of administration.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Mains, Norwood, Santiago, Stevenson, Thompson - 6.

Nays - None - 0.

Councilman Douglas abstained vote because his wife

is an employee of one of the affiliating agencies.

Councilwoman Griswold abstained vote because she is an employee of one of the affiliating agencies.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-124
Re: Thurston Road Housing Project

Transmitted herewith for your approval is legislation relating to the Thurston Road Housing Project.
This legislation will:

1. Authorize a loan agreement with the Thurston Road Housing Development Fund, Inc., (Urban League of Rochester Economic Development Corporation) for the provision of \$40,000 to finance a portion of the costs of the project; and
2. Rescind a prior appropriation of HOME funds to permit the provision of this amount.

The housing project involves the construction of six units of affordable housing for very low income, high functioning persons with developmental disabilities who have children. The units will consist of four two-bedroom and two three-bedroom houses.

On May 16, 2000, the City Council authorized the sale of the land on which the houses will be constructed. At that time, a grant of \$561,500 had been received by the ULREDC for the project under the Special Needs Populations Program of the U.S. Department of Housing and Urban Development.

This grant was considered sufficient to finance all of the project costs. However, the present estimated costs are \$643,500.

The proposed HOME loan will finance a portion of the increase in estimated costs. A bank loan will finance the residual amount.

The HOME loan will have a term of 40 years. Repayment of the loan will be deferred and the loan will be converted into a grant upon maturity of the loan.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-124
(Int. No. 132)

Authorizing An Agreement For The Thurston Road Housing Project And Amending Ordinance No. 99-377

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

Section 1. The Mayor is hereby authorized to enter into a loan agreement with the Thurston Road Housing Development Fund Company, Inc. for partial financing for the development of rental units for persons with disabilities as a part of the Thurston Road Housing Project. The loan shall be without interest during the period of construction and upon completion of construction shall be converted to a 40 year loan at the applicable federal interest rate, with payment of the interest and principal deferred until year 40 and converted into a grant at that time.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$40,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from 1998 HOME Program Funds.

Section 3. Ordinance No. 99-377, relating to the Anthony Square Project, is hereby amended by rescinding Sections 2 and 3 thereof, relating to a loan agreement for the Anthony Square Project.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-125
Re: Agreement - Rural Metro Medical Services, Emergency Ambulance Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Rural Metro Medical Services, 177 University Avenue, for the continued provision of emergency ambulance service requested by the City.

A municipality is authorized to provide ambulance service under section 122-b of the NYS General Municipal Law. Historically, the City has provided such service through agreements with private companies.

The current agreement, with Rural Metro, was approved by the City Council on August 20, 1996. Amendatory agreements, extending the term through April 30, 2001, were approved by the Council on October 17, 2000 and January 16, 2001.

The proposed additional amendatory agreement will further extend the term, to July 31, 2001.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-125
(Int. No. 133)

Authorizing An Amendatory Agreement With Rural Metro Medical Services For The Continued Provision Of Emergency Ambulance Services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Rural Metro Medical Services for the continued provision of emergency ambulance services as requested by the City, or when the City receives a request for ambulance services from a third person, and standby services at emergency scenes and special events, through July 31, 2001.

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. 2001-126
Re: Agreement - Newport Alliance, Drug Testing Program

Transmitted herewith for your approval is legislation authorizing an agreement with Newport Alliance for Business Health, of Newport, Rhode Island, for continued administration of a drug testing program. The maximum cost of this agreement will be \$25,000, which will be financed from the 2000-01 budget for Undistributed Expense.

Under the federal Omnibus Transportation Employee Testing Act of 1991, beginning January 1, 1995, all employees whose duties require the possession of commercial drivers licenses became subject to tests for drug and alcohol abuse. At present, the City has approximately 310 such employees.

Testing is mandated under the following circumstances:

1. Prior to employment,
2. After accidents involving death, hospitalization or the issuance of a police citation,
3. Upon reasonable suspicion,
4. On a random basis for...
 - a. Drugs, for at least 50% of the affected employees each year, and
 - b. Alcohol, for at least 10% of the affected employees each year.
5. Upon return to work from treatment for drug or alcohol abuse.

In addition, training concerning the effect of drugs and alcohol upon work performance is required.

To implement this mandate, since January, 1995, the City Council has authorized periodic agreements with Newport Alliance for administration of a drug testing program; the most recent agreement was authorized by the Council on February 16, 1999. Pursuant to the latter agreement, Newport has provided the following drug testing services during 2000:

Tests	Number
Pre-employment	279
Post-accident	—
Reasonable suspicion	3
Random	
Drug	166
Alcohol	32
Return to duty	6
Follow-up	55
Total	541

Under the proposed agreement, Newport will:

1. Ensure that all employees subject to testing are registered and have been issued identification cards;

2. Continue to contract for medical facilities within the city to serve as specimen collection points;
3. Provide for the transport of all specimens from these facilities to approved laboratories;
4. Based upon the test results and any medical information provided by an employee, determine the positive or negative status of drug or alcohol use;
5. Advise the City of such determination;
6. Maintain all required records and provide all required reports;
7. Monitor the performance of the testing sites; and
8. Provide informational and educational programs for the employees subject to the testing program and their supervisors.

In 2001, the following tests are projected:

Pre-employment	285
Post accident	—
Reasonable suspicion	1
Random	
Drug	223
Alcohol	47
Return to duty/follow-up	74
Total	630

The increase in the number of tests reflects the initiation of random drug testing for employees of the Emergency Communications Department.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-126
(Int. No. 134)

Establishing Maximum Compensation For A Professional Services Agreement For Continued Administration Of The Drug Testing Program

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

Section 1. The sum of \$25,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Newport Alliance for Business Health for continued administration of the drug testing program. Said amount shall be funded from the 2000-01 budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - Councilman Mains - 1.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-127 and
Ordinance No. 2001-128
Re: Bus Shelter Advertising

Transmitted herewith for your approval is legislation relating to advertising on bus shelters. This legislation will:

1. Amend the City Code to exclude bus shelters from the general prohibition against the placement of advertisements within the public right-of-way; and
2. Authorize a three-year agreement with the Rochester-Genesee Regional Transportation Authority, 1372 E. Main Street, permitting advertising on bus shelters.

During the hearings on the proposed 2000-01 budget that were conducted by the City Council in the spring of 2000, it was indicated that advertising on bus shelters was being considered as a possible revenue source that could offset the costs of the EZ Rider shuttle service. As a result of this indication, on June 20, 2000 the Council requested a review of the issues relating to advertising on public property.

This review determined that public facilities that are intended to be used for municipal purposes cannot be used for other purposes without the express authorization of the state. However, facilities that are used for proprietary, rather than governmental, purposes are excluded from this prohibition. The operation of bus service is such a proprietary use.

At present, the City Code reflects the general prohibition against private advertising on public property. Under the proposed amendment to the code, an exception will be added for advertising on bus shelters, as determined to be permitted in the recent review.

There are 70 bus shelters within the city. The location of the shelters is based primarily on the number of people who utilize bus service at a particular bus stop.

The estimated cost of installation of a shelter is between \$12,000 and \$18,000, depending on size and design. The proposed agreement is intended to permit RGRTA to generate revenues to offset these costs and to thereby encourage the installation of additional shelters.

Under the agreement, RGRTA will be authorized to install advertising on its existing shelters and to install new shelters with advertising. The advertising will include up to two non-electronic signs on each shelter.

RGRTA will be required to consult with neighborhood residents about the location and design of the shelters and will continue to be required to obtain a permit from the City prior to installation. The City will be able to designate areas in which there can be no advertising on shelters.

The advertising will be designed and produced by Normal Communications, RGRTA's present advertising agency. The costs will be \$225 per design and \$85 per sign.

The monthly fee for advertising on the shelters will range from \$260 to \$425, depending on the density of traffic near the shelter, total number of signs purchased, and the duration of the advertising contract. Currently, 23 of the shelters are in high-density areas

and 47 are in low-density areas.

The agreement will provide for a graduated percentage of the advertising revenue to be provided to the City:

Year	Sales Rate	Estimated Revenue	City Percentage	Estimated City Revenue
1	50%	\$237,500	5%	\$11,875
2	60	285,120	10	28,512
3	75	356,400	20	71,280

The graduated percentage rates are intended to permit RGRTA to be able to finance the costs of shelter installation.

RGRTA will be required to maintain the shelters in accordance with a specified schedule. If, after three years, this agreement is not renewed, it will be required to remove all signs.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-127
(Int. No. 135)

Amending The Municipal Code With Respect To Advertisements On Bus Shelters

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

Section 1. Section 35-1 of the Municipal Code, relating to handbills and signs in public places, is hereby amended by adding thereto the following new Subsection C:

C. This section shall not apply to the placement of advertisements by the Rochester-Genesee Regional Transportation Authority on bus shelters within the right-of-way.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilman Mains moved to amend Introductory No. 136.

The motion was seconded by Councilman Norwood.

The motion was adopted unanimously.

Ordinance No. 2001-128
(Int. No. 136, As Amended)

Authorizing An Agreement For Advertisements On Bus Shelters

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester-Genesee Regional Transportation Authority for the placement of advertisements, provided that such advertisements shall not include alcohol or tobacco products, on bus shelters within the right-of-way for a term of three years.

Section 2. The agreement shall obligate the Rochester-Genesee Regional Transportation Authority to pay to the City of Rochester 5% of the advertising revenues in the first year, 10% in the second year, and 20% in the third year. All advertisements must be removed at the end of the agreement, if the agreement is not renewed.

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.

Underlined material added.

Passed unanimously.

The meeting was adjourned at 6:55 P.M.

CAROLEE A. CONKLIN
City Clerk

* * * * *

REGULAR MEETING May 15, 2001

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - none - 0.

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.

APPROVAL OF THE MINUTES By Councilmember Griswold

RESOLVED, that the minutes of the Regular Meetings of March 20, 2001 and April 17, 2001 and the Special Meetings of March 29, 2001 and April 26, 2001, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

Recognition Ceremony

Award Recognition:

Department of Community Development - Best in American Living
Department of Parks, Recreation and Human Services - Top 10 City for Families in America

Fire Department - Cultural Diversity Award
Department of Finance - Certificate of Achievement for Excellence in Financial Reporting

Retirement:

*Ronald Pecora - Department of Environmental Services

*Mary Towers - Central Library

*Not attending.

THE COUNCIL PRESIDENT - PRESENTATION AND REFERENCE OF PETITIONS AND REMONSTRANCES.

By President Giess - Numerous Petitions relating to the closing of Genesee Hospital. Petition No. 5089

By Councilman Mains - Letter from José Cruz, regarding Human Rights Legislation.

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Joseph C. Wilson Boulevard Lighting District Int. No. 140 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Lyell Avenue Street Lighting District I Int. No. 141 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Lyell Avenue Street Lighting District II Int. No. 142 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Monroe Avenue Street Lighting District I Int. No. 143 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Monroe Avenue Street Lighting District II Int. No. 144 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Cascade Historic Street Lighting District Int. No. 145 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Norton Street Lighting District Int. No. 146 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Lake Avenue Lighting District Int. No. 147 No speakers.

Authorizing An Increase In The Pavement Width Of Kenwood Avenue Int. No. 148 No speakers.

Continuation Of Local Improvement Ordinance No. 1203 Relating To The Parker Place Residential Parking Lot Int. No. 155 No speakers.

Local Improvement Ordinance - Establishing The Operating And Maintenance Costs Of Neighborhood Commercial Or Residential Parking Areas Int. No. 156 No speakers.

Authorizing Submission Of The Consolidated Community Development Program/2001-02 Annual Action Plan And Execution Of The Grant Agreement With The United States Department Of Housing And Urban Development Int. No. 157 Three speakers: Ruhi Maker, Jennifer Plunkett and Rev. Linda Dolby.

Approving The Consolidated Community Development Program/2001-02 Annual Action Plan Int. No. 158 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Merchants/Winton Road Open Space District Int. No. 164 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Norton Street Urban Renewal District Streetscape Features Upgrade Project Int. No. 165 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Upgrading Of Landscape Features For The Cascade Historic District Int. No. 166 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To Downtown Guides And Authorizing An Agreement Int. No. 163 No speakers.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

Councilman Mains moved to suspend the Rules of Council to have Jobs, Finance, and Governance Committee voted on first and then return committees back to their original order.

The motion was seconded by Councilwoman Santiago.

The vote was adopted unanimously.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Mains
May 15, 2001

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 160 - Approving Apportionment Of Taxes And Charges

Int. No. 161 - Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement For The Employee Assistance Program

Int. No. 162 - Amending The Municipal Code With Respect To Human Rights

Int. No. 167 - Appropriating Funds For The Outer Loop Industrial Subdivision Infrastructure Project

Int. No. 171 - Determining And Certifying Current Base Proportions, Current Percentages, And Base Percentages For The 2001 Assessment Roll

Int. No. 172 - Determining And Certifying Adjusted

Base Proportions, Assessed Value, And Net Changes
In Assessed Value For The 2001 Assessment Roll

Int. No. 173 - Amending The Descriptions Of The
New York State Empire Zone

Int. No. 176 - Establishing Maximum Compensation
For A Professional Services Agreement With
Deloitte & Touche, LLP For Audit Services

The Jobs, Finance, and Governance Committee
recommends for consideration the following entitled
legislation:

Int. No. 163 - Local Improvement Ordinance
- Establishing The Cost Of The Special Work And
Services Related To Downtown Guides And Authoriz-
ing An Agreement

Respectfully submitted,
Tim O. Mains
Brian F. Curran
Gladys Santiago
JOBS, FINANCE, AND GOVERNANCE COM-
MITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-129
Re: Apportionment of Taxes and Charges

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

The apportionment consists of City and School taxes
and special district charges on properties subdivided or
combined in 2000-01. These taxes and charges, which
total \$164,632.99, will be added to the new accounts
established by the subdivisions or combinations of
the former accounts.

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

A list of the apportionments is on file in the Office
of the City Clerk.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-129
(Int. No. 160)

Approving Apportionment Of Taxes And Charges

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

Section 1. The Council hereby approves the ap-
portionment of taxes and charges upon various parcels
of land as certified by the Assessor of the City of
Rochester pursuant to Section 6-78 of the Charter of
the City of Rochester on April 25, 2001, in accordance
with the list which is on file in the Office of the City
Clerk.

Section 2. This ordinance shall take effect im-
mediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-130
Re: Agreement - Health Association,
Employee Assistance Program

Transmitted herewith for your approval is legislation
authorizing an agreement with the Health Association
of Rochester and Monroe County, Inc., 1 Mt. Hope
Avenue, for continuation of the Employee Assistance
Program. The maximum cost of the agreement will
be \$30,000, which will be financed from the 2001-02
budget for Undistributed Expenses.

The program, which was initiated in 1978, is designed
to provide professional assistance to employees
whose job performance is affected by causes and ill-
nesses such as legal, financial and marital problems,
emotional instability, alcoholism and drug addiction.
All City employees and their families - except public
safety employees, for whom there are separate pro-
grams - are eligible for participation.

The Health Association has operated the program
since its inception. The most recent agreement for
such operation was authorized by the City Council
on December 15, 1998.

During 1999-00, the program served 124 employees or
family members. A total of 115 people were referred
to other agencies or individuals.

Following is a summary of the types of problems that
were encountered:

Emotional/Psychological	33.6%
Job/Career Concerns	17.4
Marital	13.7
Alcohol/Drugs	11.5
Other	23.8
Total	100.0%

Under the proposed agreement, the Health Association
will continue to provide motivation counseling and
referral services to eligible employees, as appropriate,
and to conduct training programs for City supervisory
personnel, as required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-130
(Int. No. 161)

Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement For The Employee Assistance Program

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

Section 1. The sum of \$30,000, or so much thereof
as may be necessary, is hereby established as the
compensation to be paid for a professional services
agreement between the City and the Health Associa-
tion of Rochester and Monroe County, Inc. for the
continuation of the Employee Assistance Program.
Said amount shall be funded from the 2000-01 Budget

for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilman Mains moved to amend Introductory No. 162.

The motion was seconded by Councilman Norwood.

The motion was adopted unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-131
Re: Human Rights

Transmitted herewith for your approval is legislation to create a Human Rights Ordinance that would define and prohibit discriminatory actions in the areas of public accommodation, employment, and the lease or sale of housing and commercial space. The legislation would create a legal cause of action for an aggrieved person alleging such discrimination to bring suit for relief in a court of appropriate jurisdiction.

During the past few years, Americans have witnessed a rash of violent incidents across the country motivated by a deep hatred of particular identifiable minority groups. These incidents have ranged from the dragging death of James Byrd, Jr. in Texas because of his race, to the brutal murder of Matthew Shepard in Wyoming because he was gay, to the shooting of three children in a California day-care center because they were Jewish. Governments have classified these incidents as "hate crimes" because they target individuals as a result of hatred of the particular population group that they represent.

In the cases of the flagrant hate crimes cited above, the criminal justice system can be brought to bear on the perpetrators, charging them with criminal law violations and imposing jail sentences following conviction. Assault, murder, arson and other such crimes are clear and straightforward offenses that our society simply will not tolerate.

As alarming as these incidents have been, however, it is vital to recognize that human rights violations are not limited to the headline-grabbing "hate crimes" cited above. In many more insidious ways, they occur on an almost daily basis, and are directed at a wide variety of people because of their individual status as members of a minority group that is seen as an appropriate target by a person or group who perceives them as "different".

In Rochester, we have a long tradition of tolerance and openness as a community. The hometown of Frederick Douglass and Susan B. Anthony has led the nation in many ways in espousing our rich human diversity. However, even in Rochester we have had swastikas scrawled on Jewish facilities, we have had African-Americans steered from buying homes in certain areas, we have had gays harassed for their sexual orientation, and we have had Latinos excluded from jobs because they spoke with an accent.

The laws of the land have long prohibited most forms of discrimination, but the burden falls on the aggrieved individual to file a complaint with the New York State Division of Human Rights (NYSDHR)

and wait for action by that agency. The workload of NYSDHR has become so burdensome that the time required for adjudication far exceeds any reasonable time frame for an individual's personal complaint. Further, New York State law does not offer protection for those who suffer discrimination because of their sexual orientation.

Monroe County had an active Human Relations Commission to investigate charges of discrimination, but that group has neither been staffed nor convened for the past several years. In short, there is no protection for people who have suffered illegal discrimination as a result of their sexual orientation, and a clear lack of timely redress for those others who are covered under present law. We believe that additional steps must be taken at the local level to enable people who have suffered illegal discrimination to seek justice.

In 1983, City Council adopted legislation prohibiting discrimination in the provision of or access to City services, as well as in recruitment, hiring, or promotion within the City workforce. Council also required that these same provisions be adhered to by all contractors with whom we do business. At this time, it is appropriate that the same standards be applied not only to those who engage in business with the City government, but also for the protection of all of the citizens of Rochester.

This legislation provides an approach that offers an immediate source of relief, avoids the creation of additional bureaucracy, and will be simple to understand and simple to implement. Further, as an additional approach to prompt resolution of discrimination complaints, a mediation option would be provided to offer the parties an opportunity to avoid the court system entirely. Should legal action be commenced first, the courts may still offer mediation as a tool to resolve the complaint.

After extensive discussion with leaders throughout this community, we believe this is a necessary and appropriate step to take to keep Rochester in the forefront of society's ongoing efforts to perfect our democracy.

Respectfully submitted,

Lois J. Giess President	Tim O. Mains Councilmember At Large	Wade S. Norwood Councilmember At Large

Ordinance No. 2001-131
(Int. No. 162, As Amended)

Amending The Municipal Code With Respect To Human Rights

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

Section 1. There is hereby added to the Municipal Code the following new Chapter:

Chapter 63

Human Rights

Section 63-1. Legislative Findings.

The Council hereby finds and declares that the City has the responsibility to act to assure that every individual within this City is afforded an equal opportunity to enjoy a full and productive life and that the failure to provide such equal opportunity, whether because of discrimination, prejudice or intolerance in employ-

ment, housing, public accommodations and financing practices based upon age, race, creed, color, national origin, gender, sexual orientation, disability or marital status not only threatens the rights and proper privileges of its inhabitants but menaces the institutions and foundation of a free democratic state and threatens the peace, order, health, safety and general welfare of the City and its inhabitants.

Section 63-2. Definitions.

When used in this Chapter, the following terms shall have the following definitions:

AGE includes only persons who are eighteen years of age and older.

BONA FIDE OCCUPATIONAL QUALIFICATION means a qualification reasonably necessary to the operation of a particular business.

COMMERCIAL SPACE means any space in a building, structure, or portion thereof which is used or occupied or is intended, arranged or designed to be used or occupied for the manufacture, sale, resale, processing, reprocessing, displaying, storing, handling, garaging or distribution of personal property; and any space which is used or occupied, or is intended, arranged or designed to be used or occupied as a separate business or professional unit or office in any building, structure or portion thereof.

CREDIT means the right conferred upon a person by a creditor to incur debt and defer its payment, whether or not any interest or finance charge is made for the exercise of this right.

CREDITOR means any person or financial institution, which extends credit or arranges for the extension of credit by others.

CREED means religion and all aspects of religious observance and practice, as well as belief, provided, however, that in all provisions of this Chapter dealing with employment, the term shall be limited to religious observances and practices which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

DISABILITY means:

A. a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques;

B. a record of such an impairment; or

C. a condition regarded by others as such an impairment, provided, however, that in all provisions of this Chapter dealing with employment, the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

DISCRIMINATION, DISCRIMINATE or DISCRIMINATORY mean any direct or indirect act, policy, or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or preference based on, or the perception of, age, race, creed, color, national

origin, gender, sexual orientation, disability or marital status; or the aiding, abetting, inciting, coercing, or compelling thereof.

DISTINCTLY PRIVATE means any private club, institution or membership organization, except that it shall not include any club, institution or membership organization that has more than one hundred members, provides regular meal service and regularly receives payment for dues, fees, use of space, facilities, services, meals or beverages directly or indirectly from or on behalf of a nonmember for the furtherance of trade or business.

DWELLING, DWELLING UNIT and TWO-FAMILY DWELLING shall have the same meaning as set forth in Section 115-13 of the Municipal Code.

EMPLOYEE does not include any individual employed by his or her parents, spouse or child, or in the domestic service of any person.

EMPLOYER does not include any employer with fewer than four persons in his or her employ.

EMPLOYMENT AGENCY means any person undertaking to procure employees or opportunities to work.

FINANCIAL INSTITUTION means banks and trust companies, private bankers, foreign banking corporations and national banks, savings banks, licensed lenders, savings and loan associations, credit unions, sales finance companies, insurance premium finance agencies, insurers, credit card issuers, mortgage brokers, mortgage companies, mortgage insurance corporations, wholesale and retail merchants and factors, bonding companies, surety companies, or other commercial institutions that extend secured or unsecured credit or offer insurance.

GENDER includes the biological and/or social characteristics of gender and gender identity.

HOUSING means any building, structure, or portion thereof, which is used or occupied or is intended, arranged or designed to be used or occupied, as the home, residence or sleeping place of one or more human beings.

LABOR ORGANIZATION means any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment.

MARITAL STATUS means the status of being married, unmarried, divorced, separated, or widowed.

NATIONAL ORIGIN means ancestry, persons not citizens and their descendants, and persons naturalized and their descendants.

PERSON means one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

PLACE OF PUBLIC ACCOMMODATION, RESORT OR AMUSEMENT means all providers, whether licensed or unlicensed, of goods, services, facilities, accommodations, advantages, amusements and privileges of any kind, and places, whether licensed or unlicensed, where goods, services, facilities, accommodations, advantages, amusements and privileges of any kind are extended, offered, sold or

otherwise made available to the general public, or that receive financial support through the general public or through governmental subsidy of any kind. Such term shall not include any institution, club or place of accommodation, which proves that it is in its nature distinctly private.

REAL ESTATE BROKER means any person, firm or corporation who, for another and for a fee, commission or other valuable consideration, lists for sale, sells, at auction or otherwise, exchanges, buys or rents, or offers or attempts to negotiate a sale, at auction or otherwise, exchange, purchase or rental of an estate or interest in real estate, or collects or offers or attempts to collect rent for the use of real estate, or negotiates, or offers or attempts to negotiate, a loan secured or to be secured by a mortgage or other incumbrance upon or transfer of real estate.

REAL ESTATE SALESPERSON means a person employed by a licensed real estate broker to list for sale, sell or offer for sale, at auction or otherwise, to buy or offer to buy or to negotiate the purchase or sale or exchange of real estate, or to negotiate a loan on real estate, or to lease or rent or offer to lease, rent or place for rent any real estate, or who collects or offers or attempts to collect rent for the use of real estate for or in behalf of such real estate broker.

REASONABLE ACCOMMODATION means actions taken which permit an employee, prospective employee or member with a disability to perform in a reasonable manner the activities involved in the job or occupation sought or held or which permit an employee's or a prospective employee's religious observance or practice; provided, however, that such actions do not impose an undue hardship on the business, program or enterprise of the entity from which action is requested.

REDLINING means the practice of denying financing, credit or insurance based on discrimination as to the applicant or the neighborhood, in which the applicant resides or is seeking to reside.

SEXUAL ORIENTATION means homosexuality, heterosexuality, bisexuality or asexuality, whether actual or perceived.

Section 63-3. Discrimination in places of public accommodation, resort or amusement.

A. It shall be unlawful, due to discrimination, for any person, being the owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, resort or amusement, to directly or indirectly :

(1) refuse, withhold from, deny or charge a higher rate for any goods, services, facilities, accommodations, advantages, amusements or privileges of any kind, including the extension of credit; or

(2) publish, circulate, issue, display, post or mail any written or printed communication, notice or advertisement, to the effect that any of the goods, services, facilities, accommodations, advantages, amusements or privileges of any kind of any such place shall be refused, withheld from, denied or charged a higher rate to any person, or that the patronage or custom thereof of any person, is unwelcome, objectionable or not acceptable, desired or solicited.

B. Nothing in this Section shall be construed to prevent the barring of any person, because of the gender of such person, from a place of public accommodation,

resort or amusement based on bona fide considerations of public policy.

Section 63-4. Discrimination in employment.

A. It shall be unlawful to directly or indirectly do the following:

(1) For any employer or licensing agency, due to discrimination, to refuse to hire or employ or to bar or to discharge from employment, suspend or demote any person, or to discriminate against any person in compensation or in terms, conditions or privileges of employment;

(2) For any employment agency, to discriminate against any person in receiving, classifying, disposing or otherwise acting upon applications for its services or in referring an applicant to an employer;

(3) For any labor organization, due to discrimination, to exclude or to expel from its membership any person, or to discriminate against any of its members or against any employer or any person employed by an employer;

(4) For any person, due to discrimination, to exclude any person from participation in a guidance program, an apprenticeship training program or other occupational training or retraining program, or to discriminate against any person in the terms, conditions or privileges of such program; or

(5) For any employer or employment agency or person to print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment, guidance program or training program or to make any inquiry in connection with prospective employment, a guidance program or training program which expresses directly or indirectly, any discrimination, or any intent to discriminate, unless based upon a bona fide occupational qualification; provided, however, that neither this paragraph nor any provision of this Chapter shall be construed to prohibit the City from requesting information from applicants for civil service examinations for the purpose of conducting studies to identify and resolve possible problems in recruitment and testing to insure the fairest possible and equal opportunities for employment in the civil service for all persons.

Section 63-5. Discrimination in housing and commercial space.

A. It shall be unlawful, due to discrimination, for the owner, lessee, sub-lessee, assignee, or managing agent of, real estate broker, real estate salesperson or other person having the right to sell, rent or lease real property, housing or commercial space, constructed or to be constructed, or any officer, agent or employee thereof:

(1) To refuse to show, sell, transfer, rent, lease or refuse to receive and transmit any bona fide offer to buy, sell, rent or lease any real property, housing or commercial space;

(2) To discriminate against any person in the terms, conditions or privileges of the sale, rental or lease of any real property, housing or commercial space or in the furnishing of facilities or services in connection therewith; or

(3) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or

to use any form of application for the purchase, rental or lease of real property, housing or commercial space or to make any record or inquiry in connection with the prospective purchase, rental or lease of real property, housing or commercial space which expresses, directly or indirectly, any discrimination or any intent to discriminate, but nothing in this subsection prohibits using a form or making a record or inquiry for the purpose of required government reporting.

B. The provisions of this Section shall not apply:

- (1) to the rental of a dwelling unit in a two-family dwelling, if the owner or members of the owner's family reside in one of such dwelling units;
- (2) to the restriction of the rental of all rooms in a dwelling to individuals of the same gender;
- (3) to the rental of a room or rooms in a dwelling if the renter or lessee would share common living areas with the owner or lessor or members of the owner's or lessor's family; or
- (4) solely with respect to age, to the restriction of the sale, rental or lease of housing exclusively to persons fifty-five years of age or older.

Section 63-6. Discrimination in financing.

A. It shall be unlawful for any financial institution or any officer, agent or employee thereof:

- (1) To discriminate in the granting, withholding, extending or renewing, or in the fixing of the rates, terms or conditions of, any form of financial assistance, insurance or credit, except to the extent of a federal statute or regulation applicable to such a transaction;
- (2) To use any form of application for financial assistance, insurance or credit or use or make any record or inquiry which expresses, directly or indirectly, any discrimination or intent to discriminate, unless the inquiry is for the purpose of determining the applicant's creditworthiness or insurability; or
- (3) To engage in redlining.

Section 63-7. Discrimination in City services.

A. The City, and any person under agreement with the City, shall not discriminate in employment and/or in the provision of any City benefits, programs or services.

B. All City agreements shall stipulate that the contractor shall not engage in any discrimination in violation of this Chapter.

Section 63-8. Retaliation.

It is unlawful for any person engaging in any activity to which this Chapter applies to retaliate or otherwise discriminate against any person because he or she has opposed any practices forbidden under this Chapter or because he or she has filed a complaint, testified or assisted in any proceeding under this Chapter.

Section 63-9. Exemptions.

A. It shall not be a violation of this Chapter for a religious organization or institution, or any organization operated for charitable or educational purposes, which is operated, supervised or controlled by or in connection with a religious organization, to restrict employment, or any of its facilities, housing or ac-

commodations that are operated as a direct part of religious activities, to persons of the same denomination, or from taking such action as is calculated by such organization to promote the religious principles for which it is established or maintained.

B. This Chapter shall not apply to the United States Government, the State of New York or the County of Monroe, or their departments, subdivisions, agencies, public authorities, officers or employees.

C. A distinctly private club, institution or membership organization may apply such selective criteria as it chooses in the selection of its members without being in violation of this Chapter, and any club, institution or membership organization, whether distinctly private or not, may restrict its services, facilities and privileges solely to its members.

D. It shall not be a violation of this Chapter for any person or the City to develop a bona fide affirmative action plan to overcome the effects of past discrimination that is consistent with federal and New York State law, and to take action not otherwise prohibited by federal and New York State law to carry out such a plan.

E. It shall not be a violation of this Chapter for an employer to enact, agree to or enforce reasonable anti-nepotism or anti-fraternization policies.

F. It shall not be a violation of this Chapter for an employer to establish a compulsory retirement age which is in accordance with federal and state law.

G. It shall not be a violation of this Chapter for a financial institution to establish insurance rates with distinctions based on age, gender or marital status as long as such distinctions are supported by and reflective of actuarially sound statistical data.

H. It shall not be a violation of this Chapter for any person to establish or implement a policy offering discounts for senior citizens or persons with a disability.

I. It shall not be a violation of this Chapter for any place of public accommodation, resort or amusement to establish or implement a policy restricting admission to persons over a certain age or restricting the sale of alcoholic beverages to persons over a certain age.

J. It shall not be a violation of this Chapter for any person to discriminate on the basis of age when such discrimination is required by federal, state or local law.

K. It shall not be a violation of this Chapter for any person to establish a recreational program or athletic competition with distinctions based on gender or age, or to establish physical standards which reasonably take into account gender or age.

L. This Chapter shall not be applied in a manner so as to violate an organization's freedom of expressive association.

Section 63-10. Remedy.

A. Any person claiming to be aggrieved by an alleged discriminatory practice in violation of this Chapter is encouraged to seek mediation of said grievance at the Center for Dispute Settlement. Such mediation shall not be a prerequisite to the commencement of legal action as provided in this Section.

B. Any person claiming to be aggrieved by an alleged

discriminatory practice in violation of this Chapter shall have a cause of action in any court of appropriate jurisdiction for injunctive relief, compensatory and punitive damages and such other remedies as may be appropriate.

C. Any action brought for violation of this Chapter must be commenced within one year after the alleged discriminatory practice.

D. No cause of action for violation of this Chapter shall lie where the party aggrieved has previously initiated a civil action in any court based upon the same grievance which is the subject of the cause of action, unless such civil action has been voluntarily discontinued or withdrawn by the party aggrieved.

E. No cause of action for violation of this Chapter shall lie where the party aggrieved has previously filed a complaint with the New York State Division of Human Rights based upon the same grievance which is the subject of the cause of action, unless such complaint has been voluntarily discontinued or withdrawn by the party aggrieved.

F. The remedies provided herein shall be separate and distinct from remedies provided in other laws, rules or regulations, and shall not be construed by any court to be a prerequisite to an action or proceeding commenced pursuant to such other laws, rules or regulations.

Section 63-11. Separability.

If any clause, sentence, paragraph or part of this Chapter or the application thereof to any person or circumstances, shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Chapter.

Section 2. This ordinance shall take effect on July 1, 2001.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-132
Re: Western Gateway Project

Transmitted herewith for your approval is legislation appropriating such state loans and grants for which the City may be eligible for reimbursement of prior expenditures for infrastructure improvements to the Western Gateway Project.

The Western Gateway Project involves the development of 32.7 acres of land in the Outer Loop Industrial Park. Most of the land was purchased from the Empire State Development Corporation or donated by the Eastman Kodak Company pursuant to agreements authorized by the City Council on July 2, 1997.

The sale of the initial development parcel, of 7.67 acres, to Jada Precision Plastics was also authorized by the Council on that date. The company constructed a 77,000 square foot manufacturing and assembly facility at a cost of approximately \$6.4 million.

Development of the other parcels within the site required the construction of an access road and installation of utilities. Design of these improve-

ments, by The Sear-Brown Group, was authorized by the Council on October 28, 1999, at a maximum cost of \$175,000.

Bids for construction of the improvements were received on March 15, 2000. The work was performed by Intra-State Contracting Corporation and has been substantially completed.

The estimated final construction cost is approximately \$857,200. The total estimated cost of the project therefore is about \$1,032,200.

On September 15, 1998, the Council authorized the submission of applications to the NYS Department of Transportation and Empire State Development Corporation for grants and loans to partially finance this cost. Following are the estimated reimbursements for which the City will be eligible.

NYS Department of Transportation	\$180,000
Empire State Development Corporation	<u>171,000</u>
Total	\$351,000

On the above date, the Council also authorized the submission of a grant application to the US Economic Development Agency. This grant was appropriated by the Council on October 28, 1999. It is estimated that \$561,587 of the project cost will be financed from this appropriation.

Because the state grants and loans had not been approved at the time of design and construction of the project, the City issued the following debt.

Design - October 28, 1999	\$ 70,000
Construction - March 21, 2000	<u>396,000</u>
Total	\$466,000

The City debt is comprised of one-year notes with interest payable of \$21,047. The state grants and loans will be used to retire a portion of the notes and pay the interest, the rates of which are 3.75% and 4.75%.

The NYSDOT loan will have a term of five years and an interest rate of 0%. The ESD loan will have a term of 20 years and interest rate of 3%.

Provision for repayment of the loans will be included in future annual budgets.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-50

Ordinance No. 2001-132
(Int. No. 167)

Appropriating Funds For The Outer Loop Industrial Subdivision Infrastructure Project

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

Section 1. The sum of \$269,000, or so much thereof as may be necessary, is hereby appropriated from New York State Department of Transportation funds and the sum of \$316,200, or so much thereof as may be necessary, is hereby appropriated from Empire State Development Corporation funds for construction of the Outer Loop Industrial Subdivision Infrastructure.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-133 and
Ordinance No. 2001-134
Re: Tax Apportionment Assessment Classes

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

The certification involves determination of the "base proportion". In general, the base proportion for each class represents the share of the property tax levy to be allocated to that class.

This determination process involves two computations. The first is the calculation of the current base proportions using 1989 and 2000 data. The second is the calculation of the adjusted base proportions using 2000 and 2001 data. Both calculations are attached.

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

Homestead:	.4124403
Non-Homestead:	.5875597
Total	1.0000000

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

Homestead	.4061645
Non-Homestead	.5938355
Total	1.0000000

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

Homestead	+3.1%
Non-Homestead	-2.0%

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-51

Ordinance No. 2001-133
(Int. No. 171)

Determining And Certifying Current Base Proportions, Current Percentages, And Base Percentages For The 2001 Assessment Roll

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the current base proportions, current percentages, and base percentages for the City's 2001 assessment roll as follows:

	Homestead Class	Non-Homestead Class
Current base proportions	41.24403%	58.75597%

Current percentage	59.6883%	40.3117%
Base percentage	52.0355%	47.9645%

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the State Board of Equalization and Assessment.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-134
(Int. No. 172)

Determining And Certifying Adjusted Base Proportions, Assessed Value, And Net Changes In Assessed Value For The 2001 Assessment Roll

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the adjusted base proportions, assessed value, and net change in assessed value for the City's 2001 assessment roll as follows:

	Homestead Class	Non-Homestead Class
Adjusted base proportion	.4061645	.5938355
Taxable assessed value	2,806,630,021	1,911,493,632
Net change in assessed value from 2000 resulting from physical and quantity changes	-9,358,050	+12,535,500
Net change in assessed value from 2000 resulting from other than physical and quantity changes	-9,469,650	-37,087,300

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the State Board of Real Property Services.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-135
Re: NYS Empire Zone

Transmitted herewith for your approval is legislation approving a revised boundary description for the City's NYS Empire Zone.

Under state law, municipalities may designate small geographic areas - up to two square miles or 1280 acres - in which special incentives may be provided to businesses that relocate to the areas or expand within them. These incentives include state tax credits and exemptions and, at the option of the municipalities, property and local sales tax exemptions and reduced utility rates.

The City's zone was established by the City Council on February 15, 1994. The boundaries of the zone have been revised by the Council on October 14, 1994, July 22, 1997 and December 19, 2000.

The present zone contains approximately 1,260 acres. The proposed boundary revision will add about 19.2 acres to the zone.

The revision involves several parcels in the Rochester Science Park. The revision is intended to encourage and facilitate development of these parcels.

The development will involve:

1. The construction of a 15,000 square foot manufacturing facility with possible expansion to a 30,000 square foot facility in the future, with a minimum investment of \$1,250,000 and the creation of 31 new jobs; and
2. A 20,000 square foot expansion of an existing facility within the park, with a minimum investment of \$900,000 and the creation of 25 new jobs.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-52

Ordinance No. 2001-135
(Int. No. 173)

Amending The Descriptions Of The New York State Empire Zone

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

Section 1. The descriptions of the New York State Empire Zone, as established in Ordinance No. 94-26 and subsequently amended, are hereby further amended by adding the following new parcels:

Address	SBL No.
330 Science Parkway	136.63-1-7
250 Science Parkway	136.63-1-4.1
220 Science Parkway	136.63-1-3
110 Science Parkway	136.70-1-54
170 Science Parkway	136.71-1-5
55 Science Parkway	136.70-1-56.1

Section 2. The City Council of the City of Rochester requests the New York State Commissioner of Economic Development to amend the City of Rochester Empire Zone as described in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-136
Re: Agreement - Deloitte & Touche,
Blue Cross Arena At The War
Memorial Audit

Transmitted herewith for your approval is legislation authorizing an agreement with Deloitte & Touche, 2200 Chase Square, for conduct of an financial audit of the operation of the Blue Cross Arena at the War

Memorial. The maximum cost of the agreement will be \$25,000, which will be financed from the 2000-01 budget of the Department of Parks, Recreation and Human Services (War Memorial Fund).

As you are aware, since 1978, the arena has been operated by private companies pursuant to periodic agreements with the City. The most recent agreement for such operation, with Ogden Entertainment, was authorized by the City on June 25, 1998.

At that time, the prior agreement for operation, with Marriott Management Services Corporation, was terminated. In conjunction with the termination, a financial audit was conducted; this audit disclosed no material deficiencies.

The agreement with Ogden provides for the receipt by the City of a portion of revenues and the ticket surcharge, as well as the reimbursement of utility expense. In 2000, total City revenues from operations were \$1,053,885.

Concessions	\$ 185,975
Suite rental	436,648
Ticket surcharge	420,496
Other	10,766
Subtotal	1,053,885
Utility reimbursement	483,100
Naming rights	195,000
Total	\$1,731,983

Ogden Entertainment was acquired by SMG in July, 2000. Under the proposed agreement, Deloitte & Touche will conduct an audit of operation of the arena for the period from January 1, 2000 to December 31, 2000.

The audit will include review of the revenue and expenses reported for the period, supporting documentation, internal management controls and compliance with generally accepted accounting principles. It is expected that the audit will require approximately 4-6 weeks to complete.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-136
(Int. No. 176)

Establishing Maximum Compensation For A Professional Services Agreement With Deloitte & Touche, LLP For Audit Services

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Deloitte & Touche, LLP for a certified financial audit of the operation of the Blue Cross Arena at the War Memorial for calendar year 2000. Said amount, plus expenses not to exceed \$500, shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:

Ladies and Gentlemen:

Local Improvement Ordinance No. 1480
Re: Downtown Guides Program

Transmitted herewith for your approval is legislation relating to the Downtown Guides Program. This legislation will:

1. Approve the 2000-01 budget of the program and apportion the budget costs among the various properties within the District; and
2. Authorize an agreement with Downtown Special Services, Inc. for continued administration of the program.

The program was authorized by the City Council on March 15, 1994 and re-authorized on May 11, 1999. The guides walk regular routes within downtown or periodically ride the EZ Rider Shuttle and provide people with directions and information about downtown activities, events and attractions. They also report, via radio, any emergency situations.

The program is operated within the Inner Loop and in the High Falls, Frontier Field and Kodak office building areas. It is administered by a non-profit corporation, Downtown Special Services, Inc., which is directed by an 11-member board consisting of representatives from downtown businesses, the tourist industry and the City and County governments.

The costs of the program are apportioned among all non-homestead properties within the program or district boundaries, except those owned by the federal or state governments. The apportionment is based upon relative assessed valuation.

For 2001-02, the budget for the program will be \$316,000. Of this amount, \$6,450 will be financed from interest earnings and unused assessments from 2000-01. After an addition of a reserve for delinquent accounts of 3%, total assessments will be \$327,231, which is \$10,476 less than the 2000-01 assessment.

If the proposed legislation is approved, the assessments for individual properties will be prepared and submitted to the Council for consideration. Property owners will be provided with an opportunity to review these assessments and to comment upon them at a public hearing.

A public hearing on the proposed legislation is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-61

Local Improvement Ordinance No. 1480
(Int. No. 163)

**Local Improvement Ordinance - Establishing
The Cost Of The Special Work And Services Related
To Downtown Guides And Authorizing An
Agreement**

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

Section 1. The cost of the special work and services for the 2001-02 fiscal year for the Downtown Guides is established at \$327,231, and said amount

shall be allocated and levied in accordance with Local Improvement Ordinance No. 1352, as continued by Local Improvement Ordinance No. 1446.

Section 2. The Mayor is further authorized to enter into an agreement with Downtown Special Services, Inc. for the operation of the Downtown Guides Program. The agreement shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance Nos. 2001-137, 2001-138
and 2001-139
Re: River Street/Latta Road/Lighthouse
Street Improvement Project

Transmitted herewith for your approval is legislation relating to the River Street/Latta Road/Lighthouse Street Improvement Project. This legislation will:

1. Authorize an agreement with CSX Transportation, of Jacksonville, Florida, for construction and inspection of improvements at the railroad crossing on River Street at a maximum cost of \$270,000, which will be financed from the proceeds of the proposed bond issue, 2000-01 Cash Capital allocation and previously appropriated federal funds;
2. Authorize the issuance of bonds totaling \$215,000 and appropriate the proceeds thereof to finance a portion of the cost of the improvements included in the project; and

Street	\$ 75,000
Water	140,000
Total	\$215,000

3. Authorize an agreement with LaBella Associates, 300 State Street, for resident project representation services, at a maximum cost of \$220,000.

The project is a component of the Port of Rochester Harbor Improvement Project. Preliminary design of this component, by LaBella, was authorized by the City Council on July 13, 1999; final design was authorized by the Council on January 16, 2001.

The project involves various changes in pavement width; reconstruction or rehabilitation of the pavement; replacement of the water main on River Street; installation of new curbs and gutters; installation of decorative sidewalks and street lighting; landscaping and signage. The changes in pavement width were approved by the Council on January 16.

In conjunction with the project, CSX will improve the existing at-grade rail crossing that is located on River Street north of Latta Road. The improvements will include a new crossing and warning devices for vehicles and pedestrians.

Bids for construction of the other portions of the project were received on May 1. The work will be performed by Sicar, Inc. at a cost of \$1,890,741, which is 13% less than the engineering estimate; an additional \$268,000 (14%) will be allocated for contingencies.

Category	Construction	Inspection	Total
	Contingency		
Street	\$1,495,088	\$176,000	
	\$211,720		\$1,882,808
Water	187,962	21,560	
	26,264		235,786
Sewer	194,067	22,440	
	27,336		243,843
Traffic	13,625	0	
	2,680		16,305
Total	\$1,890,741	\$220,000	
	\$268,000		\$2,378,741

This cost will be financed as follows:

Federal Transportation Equity Act -21	\$1,710,610
City Debt: Street	156,500
Water	140,000
Sewer (previously issued)	12,192
Cash Capital: General	553,624
Water	526
Monroe County (traffic modifications)	815
Total	\$2,574,267

Construction is expected to begin in June and be completed in November. LaBella is recommended to provide inspection services because of its familiarity with the project.

Informational meetings concerning the project were held on September 14, 2000 and March 22, 2001. A copy of the minutes of the first meeting was previously forwarded to the Council; a copy of the minutes of the latter meeting is attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-53

Ordinance No. 2001-137
(Int. No. 177)

Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$75,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Streets Related To The River Street/Latta Road/Lighthouse Street Public Improvement Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain streets related to the River Street/Latta Road/Lighthouse Street Public Improvement Project within the City ("Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,152,808, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$75,000 bonds of the City, together with the application of \$439,535 in current funds of the City available therefor, and \$1,638,273 in Federal funds previously appropriated in Ordinance No. 2001-9, and the levy and collection

of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$75,000 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 \$75,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.20(c) of the Law, is fifteen (15) years.

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

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2001-138
(Int. No. 178)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$140,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The River Street/Latta Road/Lighthouse Street Public Improvement Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain water mains related to the River Street/Latta Road/Lighthouse Street Public Improvement Project within the City (the "Project"). The total estimated cost of said specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$235,786, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$140,000 bonds of the City to finance said appropriation, together with the application of \$15,567 in current funds of the City available therefor, and \$80,219 in Federal funds previously appropriated in Ordinance No. 2001-9, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$140,000 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 \$140,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.1 of the Law, is forty (40) years.

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2001-139
(Int. No. 179)

Establishing Maximum Compensation For Agreements For The River Street/Latta Road/Lighthouse Street Public Improvement Project

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

Section 1. The sum of \$220,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and LaBella Associates for resident project representation services related to the River Street/Latta Road/Lighthouse Street Public Improvement Project. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the Project. Of said amount, \$18,190 shall be funded from a Bond Ordinance for street improvements, \$12,753 shall be funded from a Bond Ordinance for water improvements, \$1,122 shall be funded from Bond Ordinance No. 97-64, \$29,674 shall be funded from the 2000-01 Cash Capital Allocation, and \$158,261 shall be funded from the appropriation made in Section 3 of Ordinance No. 2001-9.

Section 2. The sum of \$270,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement with CSX Transportation related to construction and inspection of improvements for the existing River Street at-grade crossing. Of said amount, \$13,500 shall be funded from a Bond Ordinance for street improvements, \$40,500 shall be funded from the 2000-01 Cash Capital Allocation, and \$216,000 shall be funded from the appropriation made in Section 3 of Ordinance No. 2001-9.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.
TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-140
Re: Agreement - Peter Smith & Co.,
Center City Design District

Transmitted herewith for your approval is legislation authorizing an agreement with Peter J. Smith, of Buffalo, for assistance in the development of the anticipated Center City Design District. The maximum cost of this agreement will be \$86,300, which will be prefunded through an appropriation transfer from the Contingency account to the 2000-01 budget of the Department of Community Development.

On January 19, 1999, the City Council authorized an agreement with Duncan Associates for assistance in the revision of the Zoning Map and Ordinance. As part of this assistance, on October 17, 2000, Duncan presented a Draft Generic Environment Impact Statement.

The DGEIS included the revisions being recommended for the map and ordinance. Among other things, the revisions do not provide for the regulation of land use within the Center City, unlike areas with other zoning classifications.

Instead, the revisions would describe land use and design characteristics. These characteristics are listed in the attachment. Development within the Center City would have to be consistent with these characteristics.

In April, proposals for development of specific standards reflecting these characteristics were solicited from 17 organizations. Eight proposals were received.

The proposals were first reviewed by a committee consisting of representatives of the Departments of Community Development. Three proposals recommended by this committee were subsequently reviewed by an expanded committee that also included representatives from Sector 5 and the Rochester Downtown Development Corporation.

Smith is recommended because of its experience and proposed relative cost. It has been involved with similar projects in Cheektowaga, New Hartford, Buffalo, Lancaster and Port Calborne. With respect to cost, its proposed fee is \$16,768 less than the finalist proposal with the next lowest fee.

All of the proposals were submitted by organizations located outside Monroe County. However, two of these organizations included local firms in their project teams. Nonetheless, the proposal submitted by Smith was considered superior.

Under the proposed agreement, Smith will:

1. Define the boundaries for the Center City Design District; and
2. Develop design and performance standards for the district.

The project is expected to begin in June and be completed in December. The Zoning Map and Ordinance revision is expected to be completed in 2002.

The General Fund will be subsequently reimbursed for the cost of the proposed agreement through an appropriation from the Community Development Block Grant. Because of the need for a public hearing on the CDBG plan amendment required for the appropriation, a direct appropriation is not possible at this time.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-54.

President Giess moved to amend Introductory No. 180.

The motion was seconded by Councilwoman Santiago.

The motion was adopted by the following votes:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Curran - 1.

Ordinance No. 2001-140
(Int. No. 180, As Amended)

Establishing \$86,300 As Maximum Compensation For A Professional Services Agreement For Design Standards For The Zoning Map And Ordinance Update Project And Amending The 2000-01 Budget

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

Section 1. The sum of \$86,300, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Peter J. Smith & Company for the development of design standards for the Zoning Map and Ordinance Update Project. Said amount shall be funded from the 2000-01 Budget of the Department of Community Development.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$86,300 from Contingency to the Department of Community Development to fund the agreement authorized herein.

Section 3. Prior to disbursing any funds on this agreement, the Consultant shall meet with the City Council for a discussion of the scope of the work.

Section 4. This ordinance shall take effect immediately.

Underlined material added.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Curran - 1.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-141
Re: Housing Promotion

Transmitted herewith for your approval is legislation appropriating \$55,000 from revenues received from the Homeownership Investment Program for the promotion of real estate sales.

The HIP program involves the sale of houses acquired by the City from the U.S. Department of Housing and Urban Development. The acquisition and sale of these houses, obtained by HUD through mortgage foreclosure proceedings, was authorized by the City Council on September 15, 1999.

The program is financially self-supporting. Revenues from the sale of the houses finance the costs of acquisition of the properties and administration of the program.

The present balance of the program fund, net of outstanding liabilities, is \$200,408. It is proposed that \$55,000 of this amount be appropriated for advertising the houses included in HIP.

Respectfully submitted,

William A. Johnson, Jr.
Mayor

Attachment No. AA-55

Ordinance No. 2001-141
(Int. No. 181)

Appropriation Of Funds For Homeownership Program Promotion

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

Section 1. There is hereby appropriated from the Homeownership Investment Program (HIP) revenue account the sum of \$55,000, or so much thereof as may be necessary, to fund the promotion of the City's Real Estate Activities.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Stevenson
May 15, 2001

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 137 - Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement With Andrea Whitcomb For The Continuation Of The "Greta Program"

Int. No. 138 - Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement With Greater Rochester Metro Chamber Of Commerce, Inc. For Highway Beautification Project

Int. No. 139 - Authorizing Agreements For Materials Testing Services

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 140 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Joseph C. Wilson Boulevard Lighting District

Int. No. 141 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Lyell Avenue Street Lighting District I

Int. No. 142 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Lyell Avenue Street Lighting District II

Int. No. 143 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Monroe Avenue Street Lighting District I

Int. No. 144 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Monroe Avenue Street Lighting District II

Int. No. 145 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Cascade Historic Street Lighting District

Int. No. 146 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Norton Street Lighting District

Int. No. 147 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Lake Avenue Lighting District

Int. No. 148 - Authorizing An Increase In The Pavement Width Of Kenwood Avenue

Respectfully submitted,
Robert J. Stevenson
Brian F. Curran
Tony M. Thompson
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-142
Re: Agreement - Andrea Whitcomb,
"Greta Program"

Transmitted herewith for your approval is legislation authorizing an agreement with Andrea Whitcomb, 91 Sunset Drive, for the continuation of the "Greta Program". The maximum cost of this agreement will be \$30,000, which will be financed from the 2001-02 budget of the Department of Environmental Services.

The "Greta Program" is an educational effort designed to increase the awareness of youth to the problems of litter and graffiti and the benefits of refuse recycling. Its principal components are performances, workshops, school classroom visits and presentations at City recreation centers and community events.

Ms. Whitcomb, as Greta, has presented the program since 1989. The most recent agreement with Ms. Whitcomb was authorized by the City Council on May 16, 2000. During 2000-01, the program has been presented to over 4,200 youths through 200 performances at city schools, libraries, recreation centers, and neighborhood events. In addition, over 2,000 adults and children have seen Greta at special events at High Falls, the Museum Science Fair, and the Lilac Parade.

Under the proposed agreement, during 2001-02, Ms. Whitcomb will provide 300 performances and workshops, at a cost of \$30,000, which is an increase of 100 performances. The cost per performance (\$100) will remain the same.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-142
(Int. No. 137)

Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement With Andrea Whitcomb For The Continuation Of The "Greta Program"

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

Section 1. The sum of \$30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Andrea Whitcomb for the continuation of the "Greta Program". Said amount shall be funded from the 2001-02 budget of the Department of Environmental Services, contingent upon approval of said budget.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-143
Re: Agreement - Chamber of Commerce,
Highway Beautification Project

Transmitted herewith for your approval is legislation authorizing an agreement with the Greater Rochester Metro Chamber of Commerce, Inc., 55 St. Paul Street, for the continued financial support by the City of the Highway Beautification Project. The maximum cost of this agreement will be \$50,000, which will be financed from the 2001-02 budget of the Department of Environmental Services.

The beautification project was initiated in 1990 as a public/private collaborative effort to improve the appearance of the Inner Loop and the portion of route 1-490 between the Erie Canal on the west and "can of worms" on the east. Since its inception, the project has been administered by the Chamber.

The project involves the cleaning, trimming, mowing and landscaping of the sides and medians of the aforementioned highways, a total distance of eight miles, between April and October 31 of each year. The work is performed by private contractors, State and City crews, inmates from the Monroe County jail, and volunteers.

The cost of the proposed agreement is the same as the cost of the prior agreement. A similar agreement, for continued financial support from the County, is expected to be approved by the Legislature at their meeting on June 12.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-143
(Int. No. 138)

Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement With Greater Rochester Metro Chamber Of Commerce, Inc. For Highway Beautification Project

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

Section 1. The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Greater Rochester Metro Chamber of Commerce, Inc. for the continued financial support of the Highway Beautification Proj-

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ect. Said amount shall be funded from the 2001-02 budget of the Department of Environmental Services, contingent upon approval of said budget.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-144
Re: Agreements - Materials Testing

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the testing and analysis of various construction materials:

<u>Company</u>	<u>Address</u>
CME Associates	325 Sherman Street
Columbia Analytical Services	1 Mustard Street
ENSR	360 Linden Oaks
Lozier Analytical Group	696 Winton Road N.
Nothnagle Drilling	1821 Scottsville-Mumford Road
Paradigm Environmental Services, Inc.	179 Lake Avenue
Van Der Horst	100 Elmgrove Park

The costs of the testing will be financed from the annual budgets of the departments using the services or from the capital funds appropriated for construction projects.

The tests will involve exploratory drilling and sampling of soils, asbestos, asphalt, concrete, masonry, structural steel and road base materials. Such tests are routinely required by the Bureau of Architecture and Engineering for street, bridge, and building renovation projects.

The previous agreements for testing services were authorized by the City Council on May 13, 1997. Each of these agreements had an initial term of one year with provision for renewal for one additional year.

In anticipation of the expiration of these agreements, the Department of Environmental Services solicited and received proposals from seven companies. All of the proposals are recommended.

Whenever tests are necessary, one or more of these companies will be utilized. The selection of a specific company will depend upon the type of test required, the company's special skills, and its ability to accommodate the City's schedule.

The volume of tests will depend upon the number of construction projects that are authorized. The cost of the test will be based on the unit prices specified in the company's proposal.

Each of the agreements, again, will have an initial term of one year with provision for renewal for an additional one-year period. Adjustment of the specified unit prices during the second year will be permitted but will be subject to approval by the City Engineer.

Following is a summary of the payments made under the agreements from 1999 through 2001:

<u>Company</u>	<u>Amount</u>

CME Associates	\$
70,766.99	
Galson Corporation	131,197.11
Paradigm Environmental Services, Inc.	210,687.80
Van Der Horst	—
<u>54,503.30</u>	
Total	\$467,155.20

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-144
(Int. No. 139)

Authorizing Agreements For Materials Testing Services

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for the testing of various construction materials as required by the City:

<u>Company</u>	<u>Address</u>
Columbia Analytical Services	1 Mustard Street
CME Associates	325 Sherman Street
ENSR	360 Linden Oaks
Lozier Analytical Group	696 Winton Road N.
Nothnagle Drilling	1821 Scottsville-Mumford Road
Paradigm Environmental Services, Inc.	179 Lake Avenue
Van Der Horst	100 Elmgrove Park

Section 2. Each agreement shall have a term of one year, with provision for renewal for an additional one year. Each agreement shall provide for a test to be performed on an as needed basis and shall establish a unit price to be paid for a particular test. The unit price may be adjusted during the renewal year with the approval of the City Engineer. The cost of said test shall be funded from the annual budget or from project appropriations.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Local Improvement Ordinance Nos.
1481,
1482, 1483, 1484, 1485, 1486, 1487 and
1488

Re: Street Lighting Districts

Transmitted herewith for your approval is legislation approving the appropriations and assessments for seven street lighting districts.

<u>District</u>	<u>2001-02</u>	<u>2000-01</u>	<u>Variance</u>
Wilson Boulevard	\$ 532.06	\$ 625.77	\$(93.71)
Lyell Avenue I			

2,096.56	2,148.13	(51.57)
Lyell Avenue II		
2,274.55	2,358.37	(83.82)
Monroe Avenue I		
1,370.84	1,392.63	(21.79)
Monroe Avenue II		
598.97	607.06	(8.09)
Cascade Drive/Washington St.		
1,541.68	1,548.32	(6.64)
Norton Street		
1,300.16	1,312.02	(11.86)
Lake Avenue		
3,906.08	0	3,906.08

The districts were established to either enhance lighting levels, and thereby improve security and safety in the affected area, or enhance for aesthetic appearance. The costs of the original enhancements were financed by the University of Rochester (Wilson Boulevard); Community Development Block Grants funds (Lyell Avenue); City funds (Monroe Avenue) or federal funds (Cascade/Washington).

The proposed assessments represent the costs of energy and maintenance or the amortization of capital costs. They will be apportioned among the properties within the districts on the basis of front footage.

The Wilson Boulevard district, which includes only property owned by the U. of R., was established by the City Council on May 9, 1995. The enhancements involved the installation of six additional lighting fixtures.

The first Lyell Avenue district was established by the Council on August 11, 1992. It includes 72 properties along the portion of Lyell Avenue between State and Broad Streets and at the intersections of Lyell and Saratoga Avenue, Verona Street and Amber Place.

The enhancements involved the replacement of 250-watt fixtures with 400-watt fixtures on 25 poles along the street. It also involved the replacement of 100/150-watt fixtures with 250-watt fixtures on four poles at the aforementioned intersections.

The second Lyell Avenue district was established by the Council on May 9, 1998. It includes 95 properties along the portion of Lyell Avenue between Broad and Hague Streets and at the intersections of Orchard and Whitney Streets.

The enhancements involved the replacement of 250-watt fixtures with 400-watt fixtures on 29 poles along the street. It also involved the replacement of 100/150-watt fixtures with 250-watt fixtures on two poles at the intersections.

The Monroe Avenue districts were established by the Council on March 18, 1998. The first district includes 102 properties along the portion of Monroe Avenue between the Inner Loop and Interstate 490, while the second district includes 68 properties along the portion of Monroe Avenue between Interstate 490 and Culver Road.

The enhancements on the Monroe Avenue districts included pole fluting, and the installation of pedestrian level lighting fixtures and banner brackets.

The Cascade/Washington district was established by Council on February 17, 1999. It includes 29 properties along Cascade Drive and Washington Street from W. Main Street to the north end. The enhancements include post-top ornamental poles.

The Norton Street district was established by Council on May 12, 1998. It includes nine properties within the 14621 Industrial Park. The enhancements include acorn fixtures on post top poles on Norton Street, and pedestrian level lights on the roadway poles on Excel Drive.

The Lake Avenue district was established by Council on August 24, 2000. It includes 67 properties along Lake Avenue between Beach Avenue and Stutson Street. The enhancements consist of 26 post top 100-watt lights and 25/100-watt pedestrian lights mounted on the roadway poles.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Local Improvement Ordinance No. 1481
(Int. No. 140)

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Joseph C. Wilson Boulevard Lighting District

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

Section 1. The cost of the special work and services for the 2001-02 fiscal year for the Joseph C. Wilson Boulevard Lighting District is established at \$532.06. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1374.

Section 2. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1482
(Int. No. 141)

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Lyell Avenue Street Lighting District I

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

Section 1. The cost of the special work and services for the 2001-02 fiscal year for the Lyell Avenue Street Lighting District I is established at \$2,096.56. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1340.

Section 2. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1483

(Int. No. 142)

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Lyell Avenue Street Lighting District II

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

Section 1. The cost of the special work and services for the 2001-02 fiscal year for the Lyell Avenue Street Lighting District II is established at \$2,274.55. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1377.

Section 2. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1484
(Int. No. 143)

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Monroe Avenue Street Lighting District I

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

Section 1. The cost of the special work and services for the 2001-02 fiscal year for the Monroe Avenue Street Lighting District I is established at \$1,370.84. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1413.

Section 2. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1485
(Int. No. 144)

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Monroe Avenue Street Lighting District II

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

Section 1. The cost of the special work and services for the 2001-02 fiscal year for the Monroe Avenue Street Lighting District II is established at \$598.97. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1412.

Section 2. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1486
(Int. No. 145)

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Cascade Historic Street Lighting District

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

Section 1. The cost of the special work and services for the 2001-02 fiscal year for the Cascade Historic Street Lighting District is established at \$1,541.68. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1429.

Section 2. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1487
(Int. No. 146)

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Norton Street Lighting District

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

Section 1. The cost of the special work and services for the 2001-02 fiscal year for the Norton Street Lighting District is established at \$1,300.16. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1422.

Section 2. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1488
(Int. No. 147)

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Lake Avenue Lighting District

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

Section 1. The cost of the special work and services

for the 2001-02 fiscal year for the Lake Avenue Lighting District is established at \$3,906.08. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1472.

Section 2. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-145
Re: Pavement Width Change - Kenwood Avenue

Transmitted herewith for your approval is legislation authorizing an increase of 8', from 26' to 34', in the pavement width of Kenwood Avenue, from a point 245' north of Kirkland Road to a point 245' to the north.

The increase was requested by the City School District, to provide a recessed parking area for drop-off and pick-up of students of Adlai E. Stevenson School #29, which is located at 88 Kirkland Road. The area will be able to accommodate 10 vehicles.

The increase will occur within the existing right-of-way. The acquisition of adjacent properties will not be required.

The increase will be included in the Kenwood Avenue Improvement Project, which extends from Arnett Boulevard to Chili Avenue. The project is being designed by the Bureau of Architecture and Engineering Services.

Besides the increase in pavement width, the project - which is being designed by the Bureau of Architecture and Engineering Services - will involve the reconstruction or rehabilitation of the pavement; installation of a new water main and services; replacement of curbs, catch basins and sidewalks; and landscaping.

Construction of the project is scheduled to begin in the summer and be substantially completed in the fall. The estimated cost of the construction, including inspection and contingencies, is \$916,725.

Improvement	Estimated Cost
Street	\$590,725
Water	256,000
Sewer	69,000
Traffic	1,000
Total	\$916,725

The cost of the improvements will be financed from Cash Capital allocations, the proceeds of water and sewer bonds that were previously authorized by the City Council and anticipated reimbursements from Monroe County.

A public informational meeting concerning the project was held on April 10. A copy of the minutes of this meeting is attached.

The proposed increase in pavement width was endorsed by the Traffic Control Board on April 17. A public hearing on the increase is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-56.

Ordinance No. 2001-145
(Int. No. 148)

Authorizing An Increase In The Pavement Width Of Kenwood Avenue

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

Section 1. The Council hereby approves an increase in the pavement width of Kenwood Avenue from 26 feet to 34 feet to accommodate an 8 foot wide recessed parking lane along the east curb lane of Kenwood Avenue from 245 feet north of Kirkland Road to 490 feet north of Kirkland Road.

Section 2. Such changes, and additional improvements as a part of the Kenwood Avenue Public Improvement Project, 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 Douglas
May 15, 2001

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 149 - Authorizing Agreements And Appropriating Funds For Human Services Projects

Int. No. 168 - Authorizing An Application And Agreement For Funding From The New York State Crime Victims Board

Int. No. 169 - Authorizing An Application And Agreements For A Truancy Program And Amending The 2000-01 Budget

Int. No. 170 - Authorizing Applications And Agreements Relating To The 2001 Good Grades Pay Program

Int. No. 174 - Establishing \$62,000 As Maximum Compensation For A Professional Services Agreement With Monroe Community College For The AmeriCorps Program

Respectfully submitted,
Benjamin L. Douglas
Robert J. Stevenson
Tony M. Thompson
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-146
Re: Agreements - Human Services
Projects

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for human services projects.

<u>Organization</u> <u>Project</u>	<u>Amount</u>
Veterans Outreach Center Support Services Project	\$25,000
Baden Street Settlement Jobs For Youth	50,000
Northeast Neighborhood Alliance Summer on the City Farm	48,859

The costs of the agreements will be financed from the General Community Needs allocation of the 1999-00 and 2001-02 Community Development Block Grants. In addition, \$50,000 will be appropriated for the Biz Kid's II project operated by the Department of Parks, Recreation and Human Services.

All of the projects are considered projects with matching funds and are therefore eligible for up to five years of funding. The proposed agreements for the first two projects represent the fifth year of funding, the proposed agreement for the third project represents the second year of funding and the appropriation for Biz Kids II represents the first year of funding.

Project descriptions and budgets are attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-57

Ordinance No. 2001-146
(Int. No. 149)

Authorizing Agreements And Appropriating Funds For Human Services Projects

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for human services projects in amounts not to exceed the following:

<u>Organization</u> <u>Project</u>	<u>Amount</u>
Veterans Outreach Center Support Services Project	\$25,000
Baden Street Settlement Jobs For Youth	50,000
Northeast Neighborhood Alliance Summer on the City Farm	48,859

Section 2. The agreements shall obligate the City to pay an amount not to exceed \$123,859, and said amount, or so much thereof as may be necessary, is

hereby appropriated from the General Community Needs Allocation of the 2001-02 Community Development Program, contingent upon approval of such Program.

Section 3. The sum of \$50,000, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 1999-2000 Community Development Program to fund the Biz Kids II Project of the City of Rochester.

Section 4. The agreements shall contain such additional 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. 2001-147
and Ordinance No. 2001-148
Re: Police Grants

Transmitted herewith for your approval is legislation authorizing applications to and agreements with the following organizations for receipt and use of grants for police programs:

NYS Crime Victims Board	\$476,800
Research Foundation of the State University of New York at Buffalo	89,600

The first grant will be used to partially finance the cost of the Family and Victims Services Unit. The unit provides programs and services to juveniles who have been involved with the criminal justice system, to families that have experienced disputes or disturbances, and to victims of child abuse or other crimes.

The costs of the unit are financed by grants from the Crime Victims Board, NYS Division of Youth and the City. The most recent agreement for the grant from the Board was authorized by the City Council on May 16, 2000.

Under the proposed agreement, the Board will provide continued financial support for the two-year period from October 1, 2001 through September 30, 2003. The grant, if approved, will support an equivalent of 7.5 positions.

Proportionally, the proposed grant is \$26,300 less than the prior grant. Provision for the proposed grant will be included in future budgets of the Police Department.

The second grant will be used to enhance the services provided under the truancy reduction program. Under the program, teams consisting of youth service and school attendance officers patrol the city, identify truant youth and transport them to assessment centers. During 1999-00, 1,257 youth were involved in the program.

At the centers, the youth are interviewed and the appropriate disposition or referral is determined. The parents or guardians and appropriate community agencies are informed.

Under the proposed grant, SUNY Buffalo will attempt to identify and address the factors underlying absen-

tee behaviors of youth and recommend appropriate remedial actions. The grant is part of a \$350,000 grant to the Foundation from the NYS Department of Education.

The 2000-01 budget of the Police Department will be amended to reflect the receipt and use of the grant.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-147
(Int. No. 168)

Authorizing An Application And Agreement For Funding From The New York State Crime Victims Board

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the New York State Crime Victims Board for funding for the Family and Victim Services Section of the Rochester Police Department.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-148
(Int. No. 169)

Authorizing An Application And Agreements For A Truancy Program And Amending The 2000-01 Budget

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the Research Foundation of the State University of New York at Buffalo for funding for a Rochester Police Department Truancy Reduction and Counseling Program.

Section 2. The Mayor is hereby further authorized to enter into such agreements as may be necessary to implement the Rochester Police Department Truancy Reduction and Counseling Program.

Section 3. The agreements shall obligate the City to pay an amount not to exceed the budgeted amounts for the Rochester Police Department Truancy Reduction and Counseling Program, and said amounts, or so much thereof as may be necessary, shall be funded from the 2000-01 Budget of the Rochester Police Department.

Section 4. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$89,220, which amount is hereby appropriated from the grant authorized herein.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-149
Re: Good Grades Pay Program

Transmitted herewith for your approval is legislation authorizing 10 agreements with various organizations and individuals relating to the 2001 Good Grades Pay program. The maximum cost of these agreements will be \$490,990, which will be financed from the 2000-01 budget of the Department of Parks, Recreation and Human Services and the General Community Needs allocations of the 1999-00 and 2000-01 Community Development Block Grants.

The program was initiated in 1996. In the past, it provided vocational exploration or academic enrichment opportunities to city youths who maintained at least a "C" grade average during the preceding school year, who had an attendance rate of at least 90% and no disciplinary problems.

For 2001, two additional components will be added to the program:

1. Good Grades Pay Prep, which will be for youth who satisfy the eligibility criteria but who are required to attend summer school. These youth will be provided with opportunities to participate in the program on a part-time basis.
2. Good Grades Pay Plus, which will be for youth who maintain at least a "B" grade average and who had an attendance rate of at least 95%. These youth will be provided with internships with wages of \$6.00 per hour.

The costs of the program are financed by the City or private companies. Proposals for the use of the City funds were solicited by DPRHS. Fifteen proposals were received.

These proposals were evaluated by the Bureau of Human Services. The evaluation criteria included cost effectiveness, past performance and the amount of available funds.

Eight projects with total costs of \$276,300 were approved. It is estimated that these projects will provide employment opportunities for 283 youth.

The City School District will provide payroll-processing services for the program. Arthur Brown will provide paycheck distribution services, as well job development and worksite monitoring services.

Proposals for the latter services were solicited from eight organizations and individuals. Two proposals were received.

Arthur Brown was recommended based on his experience. He was previously a youth employment counselor with the Service Corps and the director of family services with the Lewis Street Center.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-58

Ordinance No. 2001-149
(Int. No. 170)**Authorizing Applications And Agreements Relating To The 2001 Good Grades Pay Program**

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

Section 1. The Mayor is hereby authorized to enter into agreements or amendatory agreements with the following organizations in amounts not to exceed the following for the operation of projects and/or administration of projects for the 2001 Good Grades Pay Program:

<u>Program</u>	<u>Total</u>
American Red Cross	\$ 27,355
Action for a Better Community	42,806
Rochester City School District	134,845
Rochester City School District Law Prep.	3,226
Career Systems Development	29,328
Arts & Cultural Council	59,218
Rochester Landscape Technicians	28,774
Church of Love	43,683
Catholic Family Center	41,910
Arthur Brown	9,845

Section 2. The agreements shall obligate the City to pay an amount not to exceed \$420,990, and of said amount, or so much thereof as may be necessary, \$297,089 shall be funded from the 2001-02 Budget of the Department of Parks, Recreation and Human Services, contingent upon approval of said budget, \$14,782 from the 2000-01 Budget of the Department of Parks, Recreation and Human Services, \$100,000 is hereby appropriated from the General Community Needs Allocation of the 1999-2000 Community Development Program and \$9,119 is hereby appropriated from the General Community Needs Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Mains, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - None - 0.

Councilman Douglas abstained vote because his wife is an employee of one of the affiliating agencies.

Councilwoman Griswold abstained vote because she is an employee of one of the affiliating agencies.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-150
Re: Agreement - Monroe Community
College, AmeriCorps Program

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe Community College, as agent for the Rochester AmeriCorps Jobs Collaborative, for continued financial support of

the AmeriCorps Program. The maximum cost of this agreement will be \$62,000, which will be financed from the 2000-01 budget for Undistributed Expense.

The AmeriCorps program is a federal community service initiative for individuals ages 17 or older. The City's participation in the program was authorized by City Council on September 29, 1994.

The program is administered by the aforementioned Collaborative, which consists of representatives of Action for a Better Community, Ibero American Action League, Neighborhood Based Alliance, Rochester Area Foundation, City School District, Task Force to Reduce Violence, Monroe County, Puerto Rican Youth Development, United Neighborhood Centers, Center for Youth Services and the Urban League of Rochester, as well as the City of Rochester and Monroe Community College.

Under the program, participants perform various public services in exchange for a stipend or living allowance of \$9,620 per year, health insurance, reimbursement of child care costs (if necessary) and an educational award of up to \$4,725. In Rochester, the public services are directed toward improving the reality and perception of public safety in neighborhoods of highest need, particularly in the northeast section of the city.

Six hundred fifty persons have participated in the program since its inception in 1994. Of this number, 450 (69%) successfully completed the requirements for 1700 hours of community service and 60 are currently nearing completion.

Under the proposed agreement, 31 AmeriCorps members will continue to work in Police section offices, NET offices, recreation centers and Pathways to Peace offices. The cost of the agreement is the same as the present agreement.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-150
(Int. No. 174)**Establishing \$62,000 As Maximum Compensation For A Professional Services Agreement With Monroe Community College For The AmeriCorps Program**

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

Section 1. The sum of \$62,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Monroe Community College, as agent for the Rochester AmeriCorps Jobs Collaborative, for the AmeriCorps Program. Said amount shall be funded from the 2000-01 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Norwood
May 15, 2001

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 150 - Authorizing The Sale Of Real Estate

Int. No. 151 - Authorizing Sale Of Additional Parcels For The 2001 Home Expo Program

Int. No. 152 - Accepting Donation Of Real Estate

Int. No. 153 - Authorizing Release Of Easement On 111 Hillside Avenue

Int. No. 154 - Authorizing An Application And Agreements Relating To The Emergency Shelter Grant Program

Int. No. 175 - Authorizing Agreements For The Development Of Affordable Housing

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 155 - Continuation Of Local Improvement Ordinance No. 1203 Relating To The Parker Place Residential Parking Lot

Int. No. 156 - Local Improvement Ordinance - Establishing The Operating And Maintenance Costs Of Neighborhood Commercial Or Residential Parking Areas

Int. No. 157 - Authorizing Submission Of The Consolidated Community Development Program/2001-02 Annual Action Plan And Execution Of The Grant Agreement With The United States Department Of Housing And Urban Development

Int. No. 158 - Approving The Consolidated Community Development Program/2001-02 Annual Action Plan

Int. No. 159 - Appropriation Of Funds For The City Development Fund

Int. No. 164 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Merchants/Winton Road Open Space District

Int. No. 165 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Norton Street Urban Renewal District Streetscape Features Upgrade Project

Int. No. 166 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Upgrading Of Landscape Features For The Cascade Historic District

Respectfully submitted,

Wade S. Norwood

Benjamin L. Douglas (Abstained vote on Int. No. 154.)

Gladys Santiago (Voted on Int. No. 154 through Int. No. 175.)

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance Nos. 2001-151,
2001-152, 2001-153 and 2001-154

Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the following real estate transactions:

1. Sale of 17 properties,
2. Acceptance of the donation of one property, and
3. Release of an easement

Sales

The first two properties included in the sales, 461 Avenue D and 421-423 Parsells Avenue, will be sold to their former owners. The sale prices include all delinquent taxes, interest and penalties.

The third property, 343 Frost Avenue, was included in the public auction of May 18, 2000. The purchaser will be required to rehabilitate the property and obtain a Certificate of Occupancy within nine months of the conditional closing.

The next six properties, all on Rauber Street, will be sold to Flower City Habitat for Humanity. The properties are in addition to the four properties, on Love and Maria Streets, whose sale was authorized by the City Council on February 13. Habitat will construct 10 houses on the properties during the spring and summer.

The remaining eight properties will be sold to any of the developers previously approved for participation in the 2001 Home Expo Program or the Greater Rochester Partnership Housing Development Fund Corporation. These properties are in addition to the 278 properties whose sales were authorized by the City Council on February 13.

It is anticipated that up to 45 houses will be constructed in conjunction with the Home Expo program, eight of which will be on Troup and Reynolds Streets across from Anthony Square. Of the properties approved for sale, 77 will be designated for active marketing.

The designated properties were selected because of their proximity to other housing construction sites and the past demand in the geographic area. Properties that are not designated and actively marketed will still be available for sale upon request.

Donation

The property to be donated, 16-18 Nelson Street, contains a two-family structure that has been damaged by fire. Upon acquisition, the structure will be demolished at an estimated cost of \$8,000. The resultant vacant lot, which will contain 4,019 square feet, will be reserved for future residential development.

Easement Release

The easement to be released was originally obtained in 1919 to provide access from Hillside Avenue to the properties south of 111 Hillside Avenue. Such access was subsequently obtained through the construction of other streets and the easement was never used.

Release of the easement will permit construction of housing on the property. The Department of Parks, Recreation and Human Services has approved the release.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-59

Councilman Norwood moved to amend Introductory No.150.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Ordinance No. 2001-151
(Int. No. 150, As Amended)

Authorizing The Sale Of Real Estate, And Appropriating Funds And Canceling Charges Relating To The Brown Street Project

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

Section 1. The Council hereby approves the sale of the following parcels of improved property to the former owners:

Address S.B.L.#	Price Purchaser
461 Avenue D 091.79-1-53	\$4,301.30 Brenda Briggs
[421-423 Parsells Ave. 107.63-2-3	7,968.28 James & Elijah Ponder]

Section 2. The Council hereby further approves the sale of the following parcel of improved property by public auction:

Address:	343 Frost Avenue
S.B.L.#:	120.68-1-57
Price:	\$5,900
Legal Use:	2 Family
Purchaser:	Sammie Robinson

Section 3. 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 4. Ordinance No. 2001-65, relating to the development of housing by Flower City Habitat for Humanity, is hereby amended by adding the following parcels to the parcels authorized for sale in Section 1 thereof:

Address	SBL#
87 Rauber Street	106.39-4-17.1
120 Rauber Street	106.39-2-43.1
126 Rauber Street	106.39-2-42.1
134 Rauber Street	106.39-2-41.1
149 Rauber Street	106.39-4-31
152 Rauber Street	106.39-2-37.1

Section 5. The sum of \$16,000, or so much thereof

as may be necessary, is hereby appropriated from 2000-01 HOME Program Funds to fund Brown Street Improvements.

Section 6. The Council hereby approves the cancellation of demolition charges on the parcel at 60 Love Street, SBL# 120.34-2-19, in the amount of \$7,476.

Section [5] 7. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

Councilman Norwood moved to amend Introductory No.151.

The motion was seconded by Councilman Stevenson.

The motion was adopted unanimously.

Ordinance No. 2001-152
(Int. No. 151, As Amended)

Authorizing Sale Of Additional Parcels For The 2001 Home Expo Program

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

Section 1. The Council hereby approves the addition of the following parcels to the parcels approved for sale as a part of the 2001 Home Expo Program, as approved in Ordinance No. 2001-67:

Address	S.B.L.#
159 Cottage St.	135.28-2-20.1
105 Kenwood Ave.	120.50-1-42
145 Kenwood Ave.	120.58-1-4
149 Breck St.	107.77-1-8
42-46 Prospect St.	120.44-2-47
48-50 Prospect St.	120.44-2-46
366 Parsells Ave.	107.54-3-54
375 Parsells Ave.	107.62-1-26
170 Parsells Ave.	107.53-03-43

Section 2. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

Ordinance No. 2001-153
(Int. No. 152)

Accepting Donation Of Real Estate

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

Section 1. The Council hereby approves the acceptance of the donation of 16-18 Nelson Street, SBL #121.74-02-14, from the current owners, James J. Tseng and Hua Chin.

Section 2. Upon acquisition by the City, City taxes and other charges against said parcel shall be canceled. Any taxes levied after the date of closing, while the

City still owns the parcel, shall also be canceled. Said parcel shall be accepted free and clear of any other outstanding liens or encumbrances.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-154
(Int. No. 153)

Authorizing Release Of Easement On 111 Hillside Avenue

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

Section 1. The Council hereby approves the release of an easement on the property at 111 Hillside Avenue which provides access to Hillside Avenue.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-155
Re: Application and Agreements -
Emergency Shelter Grant Program

Transmitted herewith for your approval is legislation authorizing the following:

1. Application to and agreement with the U.S. Department of Housing and Urban Development for receipt of a grant of \$413,000 under the Emergency Shelter Grant Program; and
2. Agreements with various organizations for the use of these funds for the operation of 29 projects.

The federal Homeless Assistance Act provides assistance to local governments for the renovation and operation of emergency shelter facilities. Since inception of the program, the City has received grants totaling \$4,107,350.

The most recent allocation of these funds was approved by the City Council on May 16, 2000. This allocation was used for 23 projects.

In January, proposals were solicited from 109 individuals and organizations for the 2001 program. Thirty-three proposals, with costs totaling \$1,030,576, were received from 28 organizations; one of these proposals, with a cost of \$33,300, was subsequently withdrawn.

These proposals were evaluated by the staff from the Department of Parks, Recreation and Human Services and community representatives. The evaluation criteria included:

1. Compliance with applicable federal guidelines;
2. Provision by the program of facilities or services to underserved populations;
3. Provision of services that address identified needs; and
4. The ability to expend or encumber all project funds within 12 months.

Based upon these evaluations and the limited amount of funds, allocations for 29 projects are recommended. Descriptions of the projects are attached.

The three projects for which allocations are not presently recommended are:

Rochester Urban Center	\$32,000
Tempo	38,792
Betterway	30,000

Allocations for these projects may be possible in the future if there are any unexpended funds from the 2000 program.

The 2001 grant amount is \$1,000 less than the 2000 amount.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-60

Ordinance No. 2001-155
(Int. No. 154)

Authorizing An Application And Agreements Relating To The Emergency Shelter Grant Program

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the United States Department of Housing and Urban Development for funding under the Emergency Shelter Grant Program.

Section 2. The Mayor is hereby further authorized to enter into agreements with the following organizations in the following amounts, or the following amounts are allocated, for projects under the Emergency Shelter Grant Program:

Organization	Amount
Alternatives for Battered Women	\$23,000
Baden Street Settlement	8,000
Blessed Sacrament	10,000
Cameron Community Ministries	3,400
Catherine McAuley Housing/Families First	11,000
Catherine McAuley Housing/Melita House	16,000
Catholic Charities	12,500
Catholic Family Center/Francis Center	18,000
Catholic Family Center/Women's Place	34,000
Catholic Family Center/Emergency Services	12,500
The Center	16,000
Cephas Attica	2,297
Dimitri House	18,000
Grace Urban Ministries/Mary Magdalene House	14,000
The Health Association	14,000
Hillside Children's Center	7,000
Housing Council/Homeless Prevention Program	7,000
Housing Council/School 17 Project	20,223
Montgomery Center	1,230
Prison Outreach	6,000
St. Martins Place	6,000
St. Mary's Church	40,000
Sojourner House	23,000

Southeast Ecumenical Ministry	1,200
Togetherness in Love Community	7,000
Veteran's Outreach Center	17,000
Volunteers of America	17,000
Wilson Commencement Park	22,000
YWCA	5,000

Section 3. The agreements shall obligate the City to pay an amount not to exceed \$392,350, and said amount, and \$20,650 for administrative expenses, or so much thereof as may be necessary, is hereby appropriated from Emergency Shelter Grant Funds.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Mains, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - None - 0.

Councilman Douglas abstained vote because his wife is an employee of one of the affiliating agencies.

Councilwoman Griswold abstained vote because she is an employee of one of the affiliating agencies.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-156
Re: Home Rochester
Transmitted herewith for your approval is legislation relating to the Home Rochester Program. This legislation will:

1. Appropriate \$400,000 from the Home Rochester allocation of the 1999 HOME Program; and
2. Authorize an agreement with the Greater Rochester Housing Development Fund Corporation, 183 East Main Street.

The Home Rochester Program provides for the acquisition and rehabilitation of vacant houses for resale. The program is administered by the Greater Rochester Housing Partnership through its subsidiary housing development fund corporation.

Participating developers include the Urban League of Rochester Economic Development Corporation, HSBC Development Corporation and twelve Community Housing Development Organizations.

The proposed appropriation will provide subsidies of up to \$30,000 for the acquisition and rehabilitation of up to 13 vacant structures by HSBC, the ULREDC and other non-CHDO developers to be determined. A similar appropriation for the CHDOs was approved by the City Council on January 16.

The rehabilitated properties are marketed through the HOME Store to families with incomes not exceeding 80% of the median family income. All purchasers are required to attend pre- and post-purchase homebuyer education classes and reside on the properties for at least 10 years.

Respectfully submitted,

William A. Johnson, Jr.
Mayor

Ordinance No. 2001-156
(Int. No. 175)

Authorizing Agreements For The Development Of Affordable Housing

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

Section 1. The Mayor is hereby authorized to enter into agreements with the Greater Rochester Housing Development Fund Corporation and other non-CHDO organizations for the development of affordable housing under the HOME Program. The agreements shall obligate the City to pay amounts not to exceed the sums appropriated for this purpose.

Section 2. There is hereby appropriated from 1999 HOME Program Funds the sum of \$400,000, or so much thereof as may be necessary, to fund the development of affordable housing under the HOME Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Local Improvement Ordinance No. 1489
And Local Improvement Ordinance No. 1490
Re: Assessments and Appropriations -
Neighborhood Commercial/Residential
Parking Lots

Transmitted herewith for your approval is legislation relating to the neighborhood commercial and residential parking lot programs. This legislation will:

1. Authorize the continuation of the parking lot on Parker Place; and
2. Appropriate \$80,973.26 for the operation of and maintenance of this and seven other parking lots during 2001-02 and approve the assessment of \$71,389 against the benefited properties.

The parking lots were established pursuant to the policies adopted by the City Council on January 23, May 8 and May 22, 1979. Under these policies, the original construction costs of the lots were financed by the City but the annual operating and maintenance costs are financed through assessments against the properties that benefit from the lots.

The Parker Place lot and assessment district were originally authorized by the Council on February 24, 1981 for a period of 10 years and they were re-authorized by the Council on February 19, 1991 for a similar period. Under the proposed legislation, the lot and district will again be re-authorized for 10 years.

The lot continues to be used extensively by the residents of the properties on Parker Place. With one exception, none of these properties contain sufficient space for off-street parking. On street parking,

meanwhile, is precluded by the narrow width (15') of the street.

The operation and maintenance of this lot and the other seven lots include snow plowing, cleaning, landscape maintenance, lighting and parking regulation enforcement. These services are provided either by City personnel, private companies under contract to the City, or the property owners themselves.

For 2001-02, the total cost of these services will be \$80,973, which is \$1,105 more than the 2000-01 amount for nine districts. Since unexpended amounts available for prior year assessments are \$255 more than the 2000-01 amounts, total required new assessments will increase by \$850.

	2001-02	2000-01	Variance
Total Appropriations	\$80,973	\$79,868	\$1,105
Less: Unused Assessments	9,584	9,329	255
New Assessments	\$71,389	\$70,539	\$ 850

Again, no assessments will be apportioned against the properties included in the Wadsworth Square district. Because of low utilization by residents, the parking lot within the district is presently operated by Ralph Parking pursuant to an agreement authorized by the Council on January 19, 1999. The revenues received under the provisions of this agreement are sufficient to finance all costs of operation.

Similarly, no new assessments will be imposed upon the properties in the South Avenue district. There are sufficient unused assessments from prior years to finance all projected costs.

Finally, there are no assessments for the West Main Street district since term of the district, which was established by the Council on May 21, 1991, has expired and cannot be extended. The lot is located on leased property and negotiations for renewal of the lease were not successful.

If the proposed assessments are approved, the charges to the individual properties within the district will be prepared and submitted to the Council for consideration. The property owners will be provided with an opportunity to review these assessments and to comment upon them at a public hearing.

A public hearing on the proposed legislation is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Local Improvement Ordinance No. 1489
(Int. No. 155)

Continuation Of Local Improvement Ordinance No. 1203 Relating To The Parker Place Residential Parking Lot

WHEREAS, by Local Improvement Ordinance No. 1203, as continued in Local Improvement Ordinance No. 1309, the City provided for the levying of local improvement assessments to fund the cost of special work and services related to the Parker Place Residential Parking Lot; and

WHEREAS, the Council desires to continue said

Local Improvement Ordinance for an additional period of ten years.

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

Section 1. Local Improvement Ordinance No. 1203, as continued in Local Improvement Ordinance No. 1309, relating to the levying of local improvement assessments to fund the cost of special work and services related to the Parker Place Residential Parking Lot, is hereby re-enacted for an additional period of ten years, commencing on July 1, 2001.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1490
(Int. No. 156)

Local Improvement Ordinance - Establishing The Operating And Maintenance Costs Of Neighborhood Commercial Or Residential Parking Areas

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefited properties in accordance with the local improvement ordinances, and said new assessments are hereby appropriated from the Care and Embellishment Fund for the operation and maintenance of parking areas and neighborhood commercial or residential parking lots during 2000-01:

Parking Area	LIO	
New Assessments	Unused Assessments From Prior Years	Total Amount
Culver-Merchants	1357	
\$28,400.00	-0-	\$28,400.00
Monroe Avenue	1441	
19,300.00	1,000.00	20,300.00
Parker Place	Pending	
2,200.00	800.00	3,000.00
South Avenue	1468	
-0-	1,650.00	1,650.00
Wadsworth Square	1416	
-0-	2,434.26	2,434.26
Winton-Mayfield	1333	
8,425.00	-0-	8,425.00
North Street	1258	
6,300.00	3,700.00	10,000.00
Lyell Avenue	1382	
6,764.00	-0-	6,764.00

Section 2. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance Nos. 2001-157, 2001-158
and 2001-159

Re: Consolidated Community Development
Plan/2001-02 Draft Annual Action Plan

Transmitted herewith for your approval is legislation relating to the Consolidated Community Development Program/2001-02 Draft Annual Action Plan. This legislation will:

1. Approve the 2001-02 Draft Annual Action Plan;
2. Authorize the submission of the plan to the U.S. Department of Housing and Urban Development and the execution of any grant agreements; and,
3. Approve the appropriation and the use of Urban Development Action Grant principal and interest repayments projected to be received during the 2001-02 program year.

In 1995, the Consolidated Community Development Plan replaced all U.S. Department of Housing and Urban Development planning and application requirements for HUD's formula grant programs, including the Community Development Block Grant, HOME Investment Partnerships, Emergency Shelter Grant Program and the Housing Opportunities for Persons with AIDS. Under the revised requirements, jurisdictions prepare multi-year strategies and one-year action plans for use of federal funds.

The action plan is based on the multi-year 2000-2003 Consolidated Community Development Program. It covers the period from July 1, 2001 to June 30, 2002. The plan describes federal and other resources expected to be available during this period and specific projects and activities the City will undertake.

The Plan is designed to build upon the progress made in prior years. In 1994, the City, in partnership with a variety of neighborhood associations, began a neighborhood planning effort known as "Neighbors Building Neighborhoods" (NBN). This process involved the preparation of strategic plans and action steps for 10 planning sectors. These plans were recently updated.

In April 1999, the City Council adopted *Rochester 2010: The Renaissance Plan* which is the new Comprehensive Plan for the City of Rochester. This Plan now sets the context for the Consolidated Community Development Program.

The plan provides for the allocation of \$19,413,000. Of this amount, \$13,516,000 is available from the Community Development Block Grant, \$4,148,000 is available from the HOME Program, \$413,000 is available from the Emergency Shelter Grant and \$536,000 from the Housing Opportunities for Persons with AIDS Program. An additional \$800,000 in Urban Development Action Grant loan and interest repayments are available for the City Development Fund.

Under the plan, the following funds are provided for activities that address the following objectives:

Percent

Objective	Amount	Of Total
Support NBN	\$ 989,400	5
Economic Stability	3,912,600	20
Housing Stock	11,479,000	59
Community Needs	2,371,600	12
Other	660,400	4
Total	\$19,413,000	100

Approval by the City Council of the Annual Action Plan is required by HUD. Approval of the City Development Fund is required by Resolution 83-26, which was adopted on May 24, 1983.

A public hearing on the plan is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-157
(Int. No. 157)

Authorizing Submission Of The Consolidated Community Development Program/2001-02 Annual Action Plan And Execution Of The Grant Agreement With The United States Department Of Housing And Urban Development

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

Section 1. The Mayor is hereby authorized to submit a Consolidated Community Development Program/2001-02 Annual Action Plan to the United States Department of Housing and Urban Development. The Mayor is hereby further authorized to execute a grant agreement with the United States Department of Housing and Urban Development for the Program Year beginning July 1, 2001.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-158
(Int. No. 158)

Approving The Consolidated Community Development Program/2001-02 Annual Action Plan

WHEREAS, there is pending before this Council the Draft Consolidated Community Development Program/2001-02 Annual Action Plan to be financed with \$19,413,000 available to the City of Rochester from the Community Development Block Grant, HOME Program, Emergency Shelter Grant Program, Housing Opportunities for Persons with AIDS Program, and Urban Development Action Grant loan and interest repayments; and

WHEREAS, the proposed plan was prepared according to a Citizen Participation Plan and reflects public comments and consultations; and

WHEREAS, the City Council has reviewed the needs, strategies and proposed actions with City staff; and

WHEREAS, the City Council conducted a public hearing on the Draft Consolidated Community Development Program/2001-02 Annual Action Plan and the needs, strategies, proposed actions and annual performance; and

WHEREAS, the City Council has reviewed the public comments and recommendations.

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

Section 1. The Council hereby adopts the Draft Consolidated Community Development Program/2001-02 Annual Action Plan.

Section 2. The Mayor is hereby directed to prepare detailed programs and specifications for the various actions and to submit said plans to City Council for approval prior to implementation.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-159
(Int. No. 159)

Appropriation Of Funds For The City Development Fund

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

Section 1. As part of the Consolidated Community Development Program/2001-02 Annual Action Plan, the Council hereby appropriates the sum of \$800,000 in anticipated UDAG Loan Repayment Funds and interest, to be utilized as capital for the City Development Fund.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary for the implementation of programs funded by the appropriations made herein. The agreements shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Local Improvement Ordinance Nos.
1491,
1492 and 1493
Re: Special Assessment Districts

Transmitted herewith for your approval is legislation establishing the 2001-02 budgets for the following special assessment districts:

District	Amount
Merchants/Winton Road Open Space	\$ 500
Norton Street Urban Renewal	2,815
Cascade Historic	2,960

The amount of each budget is the same as the 2000-01 amount.

Merchants/Winton Road

The Merchants/Winton Road district was established by the City Council on August 20, 1996 to preserve as open space approximately 1.5 acres of land on Merchants Road. The district includes 71 properties on

Winton, Merchants, Royleston, Woodstock, Marsden and Elmcroft Roads.

The land consists of one parcel that was owned by the City prior to establishment of the district and one parcel that was acquired by the City in 1996 at a total cost of \$30,000. The cost of acquisition is being amortized over 10 years at an interest rate of 5%, or at about \$2,720 per year, which is added to the maintenance cost.

The total charges are apportioned among the properties within the district based upon their assessed values, without consideration of any exemptions. The properties are classified into two groups or tiers:

1. Properties that are within the triangular area that contains the open space; and
2. Properties that are across streets from the triangular area.

The charges for properties within the first group are based upon total assessed values, while the charges for properties within the second group are based upon two-thirds of their assessed values.

Norton Street

The Norton Street district was established by the Council on May 12, 1998 to finance the annual cost of maintenance of the enhancements that were included in the Norton Street Urban Renewal Project (14621 Industrial Park). These enhancements included special sidewalks, signage and landscaping.

The district includes nine properties. The cost of maintenance is apportioned among these properties based upon the front footage of the properties.

Cascade

The Cascade district was established by the Council on February 16, 1999 to finance the annual costs of maintenance of the special landscaping that was included in the Cascade Historic District Improvement Project. This landscaping included a berm on the north side of Cascade Drive and decorative tree grates and planters.

The district includes 29 properties. The cost of maintenance is apportioned among these properties based upon the front footage of the properties.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Local Improvement Ordinance No. 1491
(Int. No. 164)

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The Merchants/Winton Road Open Space District

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

Section 1. The maintenance cost of the special work and services for the 2001-02 fiscal year for the Merchants/Winton Road Open Space District is established as \$500, which with the previously approved capital costs of \$2,719.60 establishes a total assessment of \$3,219.60, and said total amount shall be allocated and levied in accordance with Local

Improvement Ordinance No. 1395.

Section 2. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1492
(Int. No. 165)

**Local Improvement Ordinance - Establishing
The Cost Of The Special Work And Services Re-
lated To The Norton Street Urban Renewal District
Streetscape Features Upgrade Project**

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

Section 1. The cost of the special work and services for the 2001-02 fiscal year for the Norton Street Urban Renewal District Streetscape Features Upgrade Project is established at \$2,815.00. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1421.

Section 2. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Local Improvement Ordinance No. 1493
(Int. No. 166)

**Local Improvement Ordinance - Establishing
The Cost Of The Special Work And Services Re-
lated To The Upgrading Of Landscape Features For
The Cascade Historic District**

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

Section 1. The cost of the special work and services for the 2001-02 fiscal year for the upgrading of landscape features for the Cascade Historic District is established at \$2,960.00. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1430.

Section 2. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

The meeting was adjourned at 9:15 P.M.

CAROLEE A. CONKLIN
City Clerk

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**PUBLIC HEARING MEETING
CITY/CITY SCHOOL DISTRICT BUDGET
June 13, 2001
7:00 P.M.**

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Santiago, Stevenson, Thompson - 8.

Absent - Councilman Norwood - 1.

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.

PUBLIC HEARINGS

Pursuant to law public hearings will now be had on the following matter:

Adoption Of The Budget Estimates For Municipal Purposes For The 2001-02 Fiscal Year, And Appropriation Of Sums Set Forth Therein And Approving Commercial Refuse Fees Int. No. 217 No speakers.

Adoption Of The Budget Estimates For School Purposes For The Fiscal Year Commencing July 1, 2001 And Expiring June 30, 2002, And Appropriation Of Sums Set Forth Therein Int. No. 218 No speakers.

Local Improvement Ordinance - Street Cleaning, Street And Sidewalk Snow Removal, And Hazardous Sidewalk Repair Commencing July 1, 2001 And Expiring June 30, 2002 Int. No. 221 No speakers.

Confirming The Assessments, Amounts And Charges To Be Inserted In The Annual Tax Rolls For The Fiscal Year Commencing July 1, 2001 And Expiring June 30, 2002 Int. No. 222 No speakers.

Voiding Local Improvement Ordinance No. 1488 And Establishing The Cost Of The Special Work And Services Related To The Lake Avenue Lighting District Int. No. 224 No speakers.

MISCELLANEOUS BUSINESS

The meeting was adjourned at 7:10 P.M.

CAROLEE A. CONKLIN
City Clerk

* * * * *

REGULAR MEETING June 19, 2001

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - none - 0.

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.

Recognition Ceremony

Retirement:

Clarence Fitch - Rochester Police Department

APPROVAL OF THE MINUTES

By Councilmember Stevenson

RESOLVED, that the minutes of the Regular Meetings of May 15, 2001, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges. 3672-7
Public Disclosure - CDBG Participation.
3673-7

THE COUNCIL PRESIDENT - PRESENTATION AND REFERENCE OF PETITIONS AND REMONSTRANCES.

By President Giess - Petition from School 46 4 K-8 Task Force requesting the consideration of adding 7th and 8th grades to School No. 46. 5090

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Authorizing An Increase In The Pavement Width Of Asbury Street Int. No. 184 No speakers.

Changing The Zoning Classification Of 1505 University Avenue From H-4 Medium High Historic To IPD#4-Valley Manor And Of 1570 East Avenue From H-4/O-IPD#4 To IPD#4 And Amending The Current Plan For IPD#4 Int. No. 227 No speakers.

Authorizing Amendatory 1995-96, 1996-97, 1997-98, 1998-99 And 1999-2000 Community Development Program Plans, Amending Ordinances And Funding For The Center City Design District Project Int. No. 230 One speaker: Ron Ring.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:

Ladies and Gentlemen:

Introductory No. 231

Re: City Code Amendment - Human Rights

Transmitted herewith for your approval is legislation amending the new City Code provisions relating to human rights.

The legislation enacting these provisions was approved by the City Council on May 15. The legislation was forwarded to me for approval on May 30 and was signed on May 31.

During review of the legislation, it was determined that certain amendments are necessary to clarify the intent of the legislation or to make it consistent with federal or state laws. These amendments include:

1. The exclusion from the definition of "disability" of any condition or disorder that is excluded from the federal Americans With Disabilities Act;
2. An exemption from the provisions of the Code for any affirmative action plan that is consistent with federal and state law, as well as any other plan that is developed to overcome past discrimination;
3. Deletion of the exemption relating to expressive association, since such exemption is specified by case law;
4. Clarification that the provisions do not restrict an employer from instituting prohibitions and standards concerning illegal drugs and alcohol at the workplace;
5. Clarification that the provisions do not restrict a person from maintaining or operating...
 - a. Separate bathrooms, locker rooms and bathing facilities for males and females,
 - b. Dress and appearance requirements based on business considerations, and
 - c. Separate private schools for males and females.
6. Clarification that the provisions do not apply if any other cause of action is instituted.

With respect to the latter clarification, it is understood that the Council intended to provide an alternative possible remedy relating to discrimination claims, not an

additional possible remedy that could be sought along with other remedies. It did not intend to have claims pursued in multiple causes of action.

Clarification of another provision of the legislation is also necessary, although no amendment is required. This clarification relates to the definition of "Discrimination, Discriminate or Discriminatory".

The definition includes "aiding, abetting, inciting, coercing or compelling" exclusionary acts. It is understood that this clause is not intended to result in potential double liability when a claim of discrimination is made.

For example, in an employment context, a claim must be made against the employer. A separate cause of action is not available against a supervisor or other employee in which aiding, abetting, inciting, coercing or compelling is alleged.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Introductory No. 231

AMENDING CHAPTER 63 OF THE MUNICIPAL CODE RELATING TO HUMAN RIGHTS

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

Section 1. The new Chapter 63 of the Municipal Code relating to Human Rights, as added by Ordinance No. 2001-131, is hereby amended as follows:

- a. The definition of disability which is found in Section 63-2 is hereby amended by adding thereto the following new subsection D:

D. However, as used in this Chapter, the term "disability" shall not include any conditions or disorders which are excluded from coverage under the Federal Americans with Disabilities Act.

- b. Section 63-9, Exemptions, is hereby amended by adding thereto in subsection D the word "or" after the word "discrimination", and by adding the word "otherwise" before the word "consistent" where they are contained therein.

- c. Section 63-9, Exemptions, is hereby amended by deleting subsection L.

- d. Section 63-9, Exemptions, is hereby amended by adding thereto the following new subsections L and M:

L. It shall not be a violation of this Chapter for any employer to:

- (1) prohibit the illegal use of drugs and the use of alcohol at the workplace by all employees;
- (2) require that employees shall not be under the influence of alcohol or be engaging in the illegal use of drugs at the workplace;
- (3) require that employees behave in conformance with the requirements established under the Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.);

- (4) hold an employee who engages in the illegal use of drugs or who is an alcoholic to the same qualification standards for employment or job performance and behavior to which the employer holds other employees, even if any unsatisfactory performance or behavior is related to the drug use or alcoholism of such employee.

M. It shall not be a violation of this Chapter for any person to:

- (1) maintain separate bathrooms, locker rooms and bathing facilities for males and females;
- (2) maintain employment dress and appearance requirements based on business considerations; or
- (3) operate private schools for males and females.

- e. Section 63-10, Remedy, is hereby amended by deleting the word "previously" where it appears in subsections D and E thereof.

Section 2. This ordinance shall take effect on July 1, 2001.

No action taken.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson
June 19, 2001

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 182 - Establishing \$24,000 As Maximum Compensation For A Professional Services Agreement For Forest Resource Management Services

Int. No. 183 - Establishing \$38,000 As Maximum Compensation For A Professional Services Agreement For The Cobbs Hill Reservoir Drive Rehabilitation Project

Int. No. 208 - Establishing \$195,000 As Maximum Compensation For A Professional Services Agreement For A Cathodic Protection Program For Water Supply Conduits

Int. No. 209 - Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$195,000 Bonds Of Said City To Finance The Cost Of The Design Of The Initial Phase Of A Cathodic Protection Program For Water Supply Conduits And The Inspection Of Existing Conduits Within The City

Int. No. 212 - Establishing \$13,200 As Maximum Compensation For An Amendatory Professional Services Agreement With LEaD For A Performance Measurement System

Int. No. 224 - Voiding Local Improvement Ordinance No. 1488 And Establishing The Cost Of The Special Work And Services Related To The Lake

Avenue Lighting District

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 184 - Authorizing An Increase In The Pavement Width Of Asbury Street

Respectfully submitted,
Robert J. Stevenson
Brian F. Curran
Tony M. Thompson
Gladys Santiago
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-160
Re: Agreement - Bruce Robinson, Inc.,
Watershed Forest Management

Transmitted herewith for your approval is legislation authorizing an agreement with Bruce Robinson, Inc., of Jamestown, for forest management services in the City's upland watershed area. The maximum cost of this agreement will be \$24,000, which will be financed for the 2000-01 budget of the Department of Environmental Services (Water Fund).

The watershed area for Hemlock and Canadice Lakes, the City's water supply, consists of about 39,000 acres. Of this total, approximately 7,200 acres are owned by the City and are subject to its management.

A management plan for the latter area was completed, by Robinson, in June, 1993. A copy of this plan is on file in the Office of the City Clerk.

The primary goal of the plan is to ensure a high quality of water. Secondary goals include the retention of open space, maintenance of a healthy and varied forest and stabilization or enhancement of wildlife habitat.

To achieve these goals, the City Council has periodically authorized agreements with Robinson for forest management services. The most recent agreement, which was authorized by the Council on May 16, 2000.

Under the proposed agreement, Robinson will continue to provide the following services:

1. Maintenance of property boundaries;
2. Removal of stressed trees;
3. Selection of timber for harvest, preparation of a prospectus and oversight of the harvest and clean-up;
4. Oversight of soil erosion control and trail construction;
5. Monitoring of pest infestation;
6. Periodic inspections to evaluate the general health of the forest;
7. Public presentations about the City's forest management activities; and
8. Forest management training for City person-

nel.

The cost of the proposed agreement is the same as the cost of the current agreement.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-160
(Int. No. 182)

Establishing \$24,000 As Maximum Compensation For A Professional Services Agreement For Forest Resource Management Services

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

Section 1. The sum of \$24,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for the second year of a professional services agreement between the City and Bruce E. Robinson, Inc. for forest resource management services for the Hemlock/Canadice Lake Watershed. Said amount shall be funded from the 2000-01 Budget of the Department of Environmental Services. The agreement may be extended annually for a total not to exceed five years, contingent upon funding for subsequent years being included in the annual budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-161
Re: Agreement - Bergmann Associates,
Cobbs Hill Reservoir Drive

Transmitted herewith for your approval is legislation authorizing an agreement with Bergmann Associates, 200 First Federal Plaza, for development of a conceptual design of improvements to Cobbs Hill Reservoir Drive. The maximum cost of the agreement will be \$38,000, which will be financed from the 1997-98 Cash Capital allocation.

Cobbs Hill Drive serves as an access road to the reservoir and the Monroe County Radio Center. It is also used by motorists, bicyclists and pedestrians for recreational purposes and to obtain a scenic view of the city.

The condition of the road has deteriorated. Proposals for conceptual design of the required improvements were solicited from five organizations

Three proposals were received. Bergmann is recommended because of its qualifications and ability to provide the required services within the time period specified by the City.

Under the agreement, Bergmann will prepare a conceptual design that achieves the following objectives:

1. Rehabilitation of the pavement
2. Improvement of storm drainage
3. Improvement in parking and parking control
4. Reduction of vehicular speeding
5. Improvement in bicyclist and pedestrian access

- and safety
- 6. Retention of historic features
- 7. Preservation of scenic features

The project is expected to be completed in the fall.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-62

Ordinance No. 2001-161
(Int. No. 183)

Establishing \$38,000 As Maximum Compensation For A Professional Services Agreement For The Cobbs Hill Reservoir Drive Rehabilitation Project

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

Section 1. The sum of \$38,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for concept design services for the Cobbs Hill Reservoir Drive Rehabilitation Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded from the 1997-98 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-162 and
Ordinance No. 2001-163
Re: Conduit Modernization Project

Transmitted herewith for your approval is legislation relating to the conduit modernization project. This legislation will:

1. Authorize an agreement with Corr-Tech Engineering, of Hopkinton, Massachusetts, for design and resident project inspection services for a cathodic protection system, at a maximum cost of \$195,000; and
2. Authorize the issuance of bonds and appropriate the proceeds thereof to finance this cost.

The City's conduit system extends from the filtration plant at Hemlock Lake to the reservoirs at Cobbs Hill and Highland Park. The system is used to transport large volumes of water to the reservoirs and to supply water to the Livingston County Water and Sewer Authority, the towns of Livonia, Lima and West Bloomfield and the Monroe County Water Authority.

The system contains three steel or cast and wrought iron conduits, ranging in age from 83 to 125 years. Each of the conduits is about 26 miles in length.

Approximately 9.5 miles of one of the conduits is out of service because of significant leakage. Other portions of the conduits are subject to varying degrees of external corrosion.

On April 15, 1997, the City Council authorized an agreement with Camp Dresser & McKee for an evaluation of the conduit system and development of an improvement plan. This plan was completed in January, 2001.

Among other things, the plan provides for the installation of an impressed current cathodic protection system to be installed on certain segments of the conduits over the next three to five years. The system is expected to halt corrosion and extend the useful life of the conduits.

The submission of qualifications were requested from 20 firms that specialize in the design of cathodic protection systems. Seven firms responded to the request.

Proposals were solicited from four of the latter firms. Corr-Tech is recommended because of its extensive experience; it has been involved in the installation of cathodic protection systems for 10 years.

Under the proposed agreement, Corr-Tech will design a system for the conduit and inspect its installation. Installation will occur in phases, with the initial phase beginning in the summer of 2002 and being completed in the fall of 2002.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-63.

Ordinance No. 2001-162
(Int. No. 208)

Establishing \$195,000 As Maximum Compensation For A Professional Services Agreement For A Cathodic Protection Program For Water Supply Conduits

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

Section 1. The sum of \$195,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Corr-Tech Engineering for the design and inspection of the initial phase of a cathodic protection program for the City water supply conduits. Said amount shall be funded from a bond ordinance adopted for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-163
(Int. No. 209)

Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$195,000 Bonds Of Said City To Finance The Cost Of The Design Of The Initial Phase Of A Cathodic Protection Program For Water Supply Conduits And The Inspection Of Existing Conduits Within The City

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 the "City"), is hereby authorized to finance the cost of the design of

the initial phase of a cathodic protection program for water supply conduits and the inspection of existing conduits within the City (the "Project"). The estimated maximum cost of the specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$195,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$195,000 bonds of the City, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$195,000 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 \$195,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.1 of the Law, is forty (40) years.

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-164
Re: Agreement - LEaD, DES Performance
Measurement System

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with LEaD (principal: Lauren Spiker), 70 Linden Oaks, for continued assistance in the development by the Department of Environmental Services of a performance measurement system. The maximum cost of the agreement will be \$13,200, which will be financed from the 2000-01 budget of DES.

LEaD (Leadership, Education and Development) has provided training and assistance to DES since 1997 under periodic agreements. The most recent agreement, for development of a comprehensive performance measurement system for the department, was executed in March.

Under this agreement, LEaD has provided the following services:

1. Coordination and facilitation of departmental efforts to develop a performance "scorecard" for each bureau;
2. Assistance in the identification of objectives and the design of measures that reflect performance relevant to the objectives; and
3. Conducting of training sessions for personnel involved in the development of the performance measurement system and the collection and analysis of performance measures.

Under the proposed amendatory agreement, LEaD

will...

1. Assist in the communication to all departmental personnel the purpose and use of the performance measurement system;
2. Facilitate intra-departmental teams assembled to resolve operational and management issues; and
3. Provide training to improve leadership and communication skills.

The hourly fee will continue to be \$200. If the amendatory agreement is approved, the total cost of the agreement will increase to \$23,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-164
(Int. No. 212)

Establishing \$13,200 As Maximum Compensation For An Amendatory Professional Services Agreement With LEaD For A Performance Measurement System

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

Section 1. The sum of \$13,200, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and LEaD for implementation of a performance measurement system for the Department of Environmental Services. Said amount shall be funded from the 2000-01 Budget of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Local Improvement No. 1494
Re: Lake Avenue Street Lighting District

Transmitted herewith for your approval is legislation relating to the Lake Avenue Street Lighting District. This legislation will:

- (1) Rescind prior legislation approving the 2001-02 appropriation and assessments for the District; and
- (2) Re-approve these appropriations and assessments.

The district was established by the City Council on August 22, 2000 following a public hearing at which there were no speakers. The district includes 67 properties along Lake Avenue between Beach Avenue and Stutson Street. The appropriation and assessments relate to the upgrading of lighting along this portion of the Avenue, which involved the installation of 26 post top 100-watt lights and 25/100-watt pedestrian lights.

On May 15, 2001, the Council adopted legislation approving the initial appropriation and assessments for the district, which total \$3,906.08. A public hear-

ing concerning this legislation was held. However, the public notice in the newspaper concerning this hearing incorrectly identified the district as the Lyell Avenue district.

Direct notification of the property owners within the district was not required. Since the 2001-02 assessments represented the initial charges for the lighting, though, direct notification was indeed provided. However, at least one property owner reportedly received this notification after the hearing occurred.

Because of the improper public notice and possible belated direct notification, it is recommended that the legislation be reconsidered following another public hearing, which has been scheduled for June 13. A public notice of this hearing was published on June 4. Direct notification to the property owners was made on June 5.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Local Improvement Ordinance No. 1494
(Int. No. 224)

Voiding Local Improvement Ordinance No. 1488 And Establishing The Cost Of The Special Work And Services Related To The Lake Avenue Lighting District

Whereas, the Council approved Local Improvement Ordinance No. 1488, relating to the Lake Avenue Lighting District, on May 15, 2001 and said Local Improvement Ordinance was subsequently signed into law by the Mayor; and

Whereas, after approval, the City was informed by a property owner in the District that the notice sent to owners informing them of the public hearing did not arrive in a timely manner and that owners did not have an opportunity to be heard on the proposed Local Improvement Ordinance; and

Whereas, the Council has provided property owners with a new notice and public hearing on this matter and now wishes to void the prior Local Improvement Ordinance and approve the legislation anew.

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

Section 1. Local Improvement Ordinance No. 1488, relating to the Lake Avenue Lighting District, is hereby voided.

Section 2. The cost of the special work and services for the 2001-02 fiscal year for the Lake Avenue Lighting District is established at \$3,906.08. Said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1472.

Section 3. This ordinance shall take effect on July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-165
Re: Pavement Width Change - Asbury
Street

Transmitted herewith for your approval is legislation approving a one-foot increase, from 18' to 19', in the width of Asbury Street.

The increase was requested by residents who attended a public informational meeting on March 28 concerning the planned Asbury Street Improvement Project. The increase is intended to facilitate snow removal and refuse collection while preserving trees that are not otherwise scheduled to be removed because of their condition or health.

Besides the increase in pavement width, the improvement project involves reconstruction of the pavement; installation of water mains, services and hydrants; replacement of curbs, sidewalks, driveway aprons and catch basins; and landscaping. Construction is scheduled to begin in the fall of 2001 and be completed in the spring of 2002.

A copy of the minutes of the March 28 public information meeting, along with minutes of a subsequent meeting on May 15, are attached.

The Traffic Control Board will consider the proposed increase in pavement width on June 5. The City Council will be notified of its recommendation.

A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-64

Ordinance No. 2001-165
(Int. No. 184)

**Authorizing An Increase In The Pavement
Width Of Asbury Street**

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

Section 1. The Council hereby approves an increase in the pavement width of Asbury Street by one foot, from 18 feet to 19 feet, from South Clinton Avenue to Field Street.

Section 2. Such changes, and additional improvements as a part of the Asbury Street Public Improvement Project, 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 Douglas
June 19, 2001

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 185 - Authorizing Agreements For Human Services Projects

Int. No. 186 - Authorizing An Agreement With Respect To Underage Tobacco Enforcement

Int. No. 187 - Authorizing An Application And Agreements For The PAC-TAC Support Project And Amending The 2001-02 Budget

Int. No. 188 - Approving Applications, Agreements And The 2001 Administrative And Program Budgets Of The Rochester-Monroe County Youth Bureau

Int. No. 189 - Establishing \$25,000 As Maximum Compensation For A Professional Services Agreement For Fireworks

Respectfully submitted,
Benjamin L. Douglas
Robert J. Stevenson
Tony M. Thompson
Gladys Santiago
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, file and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-166
Re: Agreements - Human Services Programs

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for human services projects.

<u>Organization</u> <u>Project</u>	<u>Amount</u>
Cameron Community Ministries Northwest Youth Program	\$32,000
The Health Association Clinton Avenue Outreach	54,600
YMCA of Greater Rochester Summer Science and Technology Camp	20,000
Families and Friends of Murdered Children and Victims of Violence Families and Friends of Murdered Children and Victims of Violence	96,800

The cost of these agreements will be financed from the General Community Needs allocation of the 2001-02 Community Development Block Grant.

All four projects are classified as projects with matching funds. The first project above is in its first year, the second project and last project are in their fifth year and the third project is in its second year of funding.

Project descriptions and budgets are attached.
Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-65

Ordinance No. 2001-166
(Int. No. 185)

Authorizing Agreements For Human Services

Projects

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for Human Services Projects in amounts not to exceed the following:

<u>Organization</u> <u>Project</u>	<u>Amount</u>
Cameron Community Ministries Northwest Youth Program	\$32,000
The Health Association Clinton Avenue Outreach	54,600
YMCA of Greater Rochester Summer Science and Technology Camp	20,000
Families and Friends of Murdered Children and Victims of Violence Families and Friends of Murdered Children and Victims of Violence	96,800

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$203,400, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 2001-02 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-167 and
Ordinance No. 2001-168
Re: Police Grants

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for the receipt and use of two grants to finance police programs.

1. Monroe County, for the receipt of \$24,000, to finance the continuation of underage tobacco enforcement;
2. NYS Division of Criminal Justice Services, for receipt of a grant of \$25,000, to finance an enhancement of PAC-TAC activity in the Lyell Avenue area; and
3. Lyell Avenue Revitalization Committee, for use of a portion of the latter grant.

Underage Tobacco Enforcement

There are approximately 500 locations within the city that are licensed to sell tobacco products. At some of these locations, tobacco products are sold to persons under the age of 18, which is a violation of the NYS Penal Law.

Since 1998, the Monroe County Department of Health has financed the costs of special enforcement efforts of the Police Department in relation to this section of the law. These efforts involve the recruitment of underage youth who attempt to purchase tobacco products from various locations.

Under the proposed grant agreement, the special enforcement efforts will continue. The grant funds will be used to compensate the underage youth and to pay for the purchase of tobacco products and overtime for the police officers who accompany the youth.

The amount of the proposed grant is the same as the amount of the present grant.

PAC-TAC

PAC-TAC (Police and Citizens Together Against Crime) is an effort to deter criminal activity through the use of volunteer citizen patrols in neighborhoods. When citizens observe such activity, they are able to report it through radios provided by the Police Department.

In the Lyell Avenue neighborhood, approximately 42 persons participate in the program. Under the proposed grant, off-duty police officers will accompany the volunteers during the times at which most criminal activity occurs, typically between 6:00 and 10:00 p.m.; if volunteers are not available, the off-duty officers will patrol alone.

Following is the budget for the enhanced program:

Off-duty police officers	\$11,304
Grant administrator	2,400
Administrative assistant	3,000
Salaries and Wages	16,704
Employee benefits	864
Computer and printer	3,000
Portable radios	3,000
Supplies	1,432
Total	\$25,000

The grant was obtained through the efforts of Senator James Alesi.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-167
(Int. No. 186)

Authorizing An Agreement With Respect To Underage Tobacco Enforcement

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe Department of Health for funding for an Underage Tobacco Enforcement Program.

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.

Ordinance No. 2001-168

(Int. No. 187)

**Authorizing An Application And Agreements
For The PAC-TAC Support Project And Amending
The 2001-02 Budget**

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the New York State Division of Criminal Justice Services for funding for the PAC-TAC Support Project.

Section 2. The Mayor is hereby further authorized to enter into an agreement with the Lyell Avenue Revitalization Committee for the PAC-TAC Support Project.

Section 3. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$13,696, and said amount, or so much thereof as may be necessary, shall be funded from the 2001-02 Budget of the Rochester Police Department.

Section 4. The 2001-02 Budget of the City of Rochester, as amended and approved at this meeting, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$25,000, which amount is hereby appropriated from funds to be received under the agreement authorized herein to fund the PAC-TAC Support Project.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen

Ordinance No. 2001-169
Re: 2001 Rochester-Monroe County
Youth Bureau

Transmitted herewith for your approval is legislation relating to the Rochester-Monroe County Youth Bureau. This legislation will:

1. Approve the 2001 administrative and program budgets of the Bureau; and
2. Authorize any necessary agreements to implement these budgets.

The Youth Bureau is a joint agency that was established by the City and County "...to encourage and administer a county-wide comprehensive planning and service delivery system that is devoted in whole or in part to the welfare and positive development of children and youth." It is supervised by a citizen/youth board, administered by the County and supported financially by the City, the County and the NYS Office of Children and Family Services (formerly the Division for Youth).

Under the bylaws of the Board, which were approved by City Council on June 8, 1982, the annual budget of the Bureau is subject to the approval of the City and County. Upon approval, the City is required to

submit the related application for state aid to the Office of Children and Family Services through the Bureau and, to the extent that matching funds are available, to reimburse the County for up to a maximum of 34% of its total administrative budget.

The budget proposed for the Youth Bureau for 2001 provides for administrative costs of \$773,872 which is 9.0% increase from the 2000 budget. Based upon the proposed budget, the 2001 contribution requested from the City is \$110,828 or 14.5%.

A reimbursement of 50.2% of this amount will subsequently be received from the Office of Children and Family Services. The City's net cost for administration will therefore be \$55,635. In 2000 its net cost was \$51,507.

The proposed 2001 budget also provides for the operation or administration of the following programs by the City:

Program	2001	2000	Change
Department of Parks, Recreation			
Human Services:			
Youth Recreation	\$348,049	\$345,291	\$ 2,758
Family Violence	202,342	177,043	25,299
Project Base	59,495	59,570	(75)
Project Odyssey	65,771	140,521	(74,750)
Project YMCA Love 15	19,432	0	19,432
Police Department:			
Family & Victim Assistance	127,471	126,862	609
	\$822,560	\$849,287	\$(26,727)
Related Revenue:			
State Aid	\$173,848	\$165,913	7,935
Other Revenue	265,974	310,011	(44,037)
Sub Total	\$439,822	\$475,924	\$(36,102)
City Contribution	\$382,738	\$373,363	\$ 9,375

After consideration of State aid and other revenue, the net cost to the City of all programs will be \$382,738 or \$9,375 more than the 2000 amount.

The following agreements are expected to be required to implement the program budget:

1. NYS Office of Children and Family Services, for partial financing of the programs and projects;
2. Rochester-Monroe County Youth Bureau, for the administration of the program;
3. Society for the Protection and Care of Children, for operation of the Family Violence Program;
4. Baden Street Settlement, for operation of Project Base and Project Odyssey; and
5. YWCA for operation of Love 15 Project.

The County Legislature approved the 2001 Youth Bureau budget in December 2000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-66

Ordinance No. 2001-169

(Int. No. 188)

**Approving Applications, Agreements And The
2001 Administrative And Program Budgets Of The
Rochester-Monroe County Youth Bureau**

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

Section 1. The Council hereby approves the 2001 Administrative and Program Budgets of the Rochester-Monroe County Youth Bureau and the City's participation in the 2001 Comprehensive Youth Services Plan. The Mayor is authorized to execute such agreements and make such applications as may be necessary to effectuate the 2001 Comprehensive Youth Services Plan. The City's required contribution to the 2001 Youth Bureau Budget shall be financed equally from the 2000-01 and 2001-02 Budgets of the Department of Parks, Recreation and Human Services.

Section 2. The Mayor is further authorized to enter into an agreement with the Society for the Protection and Care of Children for the operation of the Family Violence Program. Said agreement shall obligate the City to prefinance an amount not to exceed \$21,122, and said amount, or so much thereof as may be necessary, shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services.

Section 3. The Mayor is further authorized to enter into an agreement with the Baden Street Settlement, Inc. for the operation of Project Base. Said agreement shall obligate the City to pay an amount not to exceed \$13,706, and said amount, or so much thereof as may be necessary, shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services.

Section 4. The Mayor is further authorized to enter into an agreement with the Baden Street Settlement, Inc. for the operation of Project Odyssey. Said agreement shall obligate the City to pay an amount not to exceed \$5,771, and said amount, or so much thereof as may be necessary, shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services.

Section 5. The Mayor is further authorized to enter into an agreement with the YMCA for the operation of the Love 15 Project. Said agreement shall obligate the City to pay an amount not to exceed \$9,716, and said amount, or so much thereof as may be necessary, shall be funded from the 2000-01 Budget of the Department of Parks, Recreation and Human Services.

Section 6. The applications and agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-170
Re: Agreement - Young Explosives,
Fireworks Display

Transmitted herewith for your approval is legislation authorizing an agreement with Young Explosives, 4

Butternut Drive, for provision of an aerial fireworks display on July 4, Independence Day. The maximum cost of this agreement will be \$25,000, which will be financed from the 2001-02 budget of the Department of Parks, Recreation and Human Services and Rochester Events Network.

The display will be similar to those that have been provided by Young annually since 1977. It will extend for about 20 minutes.

The fireworks will be launched over the Genesee River from the entrance ramp to route I-490 eastbound. Young will be responsible for obtaining the necessary permits from the Fire Department and for acquiring \$1.0 million of liability insurance.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-170
(Int. No. 189)

Establishing \$25,000 As Maximum Compensation For A Professional Services Agreement For Fireworks

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

Section 1. The sum of \$25,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Young Explosives for a July Fourth fireworks display. Said amount shall be funded from the Rochester Events Network.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Norwood
June 19, 2001

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 190 - Authorizing The Sale Of Real Estate

Int. No. 191 - Authorizing Release Of Easement On 100 Bickford Street

Int. No. 192 - Authorizing Release Of Easement On 180 Fulton Avenue

Int. No. 193 - Authorizing An Amendatory Agreement With The Housing Council In The Monroe County Area, Inc. For The Rehabilitation Of Investor Properties Program

Int. No. 194 - Authorizing An Agreement For A Tool Lending Library Program

Int. No. 195 - Authorizing An Amendatory Agreement With Action For A Better Community, Inc. For Continued Administration Of The Joint Energy Conservation Program - \$90,000

Int. No. 196 - Authorizing Agreements With Neighborhood Organizations For Administration Of The Residential Assistance Program - \$1,310,000

Int. No. 197 - Appropriation Of Funds And Authorizing Agreements For The Home Purchase Assistance Program

Int. No. 198 - Authorizing An Agreement With The Housing Council In The Monroe County Area, Inc. For The Continued Provision Of Mortgage Services - \$225,000

Int. No. 199 - Authorizing Agreements For Landlord And Tenant Services - \$196,000

Int. No. 200 - Authorizing Agreements For Housing Development Support - \$210,000

Int. No. 211 - Authorizing An Agreement With The Greater Rochester Housing Partnership, Inc. For Housing Services

Int. No. 213 - Authorizing An Agreement For The Real Estate Marketing Initiative

Int. No. 216 - Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement For The North Clinton Avenue Neighborhood Commercial Revitalization Project

Int. No. 226 - Authorizing Agreements With The County Of Monroe For Reimbursement For Inspection Services

Int. No. 228 - Resolution Approving Appointment To The Rochester Preservation Board

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 227 - Changing The Zoning Classification Of 1505 University Avenue From H-4 Medium High Historic To IPD#4-Valley Manor And Of 1570 East Avenue From H-4/O-IPD#4 To IPD#4 And Amending The Current Plan For IPD#4

Int. No. 229 - Amending Ordinance No. 2000-383 And The 2000-01 Budget For The Rochester Public Library

Int. No. 230 - Authorizing Amendatory 1995-96, 1996-97, 1997-98, 1998-99 And 1999-2000 Community Development Program Plans, Amending Ordinances And Funding For The Center City Design District Project

The following entitled legislation is being held in committee:

Int. No. 225 - Amending Section 52-5 Of The Municipal Code, Procedure For Enforcement, With Respect To The Issuance Of Immediate Tickets For Commercial Activities In Violation Of The Zoning Ordinance

Respectfully submitted,
Wade S. Norwood
Benjamin L. Douglas
Nancy K. Griswold
Lois J. Giess
Gladys Santiago
HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE

Received, filed and published.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance Nos. 2001-171,
2001-172 and 2001-173
Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the following real estate transactions:

1. Sale of 24 properties, and
2. Release of two easements.

The first seven properties to be sold are vacant lots that are considered unbuildable because of their size. They will be sold for \$1.00 to the owners of adjacent properties and combined with those properties.

The next six properties were included in the Home-steading Lottery of April 12. The purchasers will be required to rehabilitate the properties within 18 months of the conditional closing and to occupy them for a minimum of five years.

The next six properties were included in the Request for Proposal Sale of March 5. They will be sold for their appraised values.

<u>Address</u>	<u>Proposed Use</u>

569-573 Chili Avenue Office	florist shop and six apartments
69-73 Conkey Avenue	Church and two apartments
560-574 Jefferson Avenue	Bar (present use)
207-209 Monroe Avenue	Cafe and two apartments
139 State Street	Bar/restaurant and three apartments
111-137 Portland Avenue	Parking lot

The last five properties will be sold to any of the developers previously approved for participation in the 2001 Home Expo Program on the Greater Rochester Partnership Housing Development Fund Corporation. These properties are in addition to the 286 properties whose sales were authorized by the City Council on February 13 and May 15.

The first easement to be released, at 100 Bickford Street, was acquired by the City in 1946, when construction of a street in the area was being considered. Since such construction is no longer contemplated, the owner of the property, Hoffend Xposition, has requested release of the easement to eliminate the encroachment.

The second easement to be released, at 180 Fulton Avenue, was acquired by the former owner of 182 Fulton Street in 1963 to provide ingress and egress to the garage on the latter property. Since the City acquired the latter property in 1996 and all structures on it have been demolished, the owner of 180 Fulton Avenue, Salil Kumar and Shukla Ghosh, has requested release of the easement.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-67

Councilman Norwood moved to amend introductory no. 190.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Ordinance No. 2001-171
(Int. No. 190, As Amended)

Authorizing The Sale Of Real Estate

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

Section 1. The Council hereby approves the sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address Sq. Ft.	S.B.L.# Purchaser
211 Atkinson St 1827±	120.52-2-20 Donna J. Danner
EH 663 Bay St 1802	Pt of 107.45-1-19 Rochester Housing Authority
WH 663 Bay St 1802	Pt of 107.45-1-19 Bill & Martha Manor
244 Cherry Rd 1716±	061.77-1-66 Lois H. Joss
12 Durgin St 1202±	106.37-2-43.5 Marion & Geneva Carter
314 Hawley St 3840±	120.75-1-41 Ken & Mercy Young
4 Hopkins St 2580±	120.58-3-57 Bobby J. Anderson
109 Lela St 2071±	105.78-1-4.4 John W. Wallace

Section 2. The Council hereby further approves the sale of the following parcels of real estate through the Rochester Homesteading Lottery for the sum of \$1.00:

Address Purchaser	S.B.L.#
82 Agnes St Edwin Torres	091.73-2-37
192 Cady St Mary Poles	120.59-1-55
37 Coleman Ter Pamela Goodfriend	106.35-2-35
88 Garson Av Ana A. Oquendo	106.67-2-6
410 Hayward Av Vurena Davis	106.68-3-34
41 Lime St Cynthia Green	105.74-3-25

Section 3. The Council hereby further approves the sale of the following parcels of improved property with proposal:

Address Price	S.B.L.# Purchaser
569-573 Chili Av \$ 2,000	120.56-3-2 Gerald Serret
69-73 Conkey Av 1,000	106.29-4-33 Benjamin Harris
560-574 Jefferson Av 1,500	120.68-1-18 & 17 Avis Hill
207-209 Monroe Av 6,000	121.41-2-13 James Maher
139 State St	106.78-1-31

55,000 Singer Real Estate LP*

*Principals: Jules Mussinger, Susan Mussinger

[Section 4. The Council hereby further approves the sale of the following parcel of vacant land with proposal:

Address Price	S.B.L.# Purchaser
111-137 Portland Av \$5,000	106.49-2-18 thru 23 Edward & Ruth Donohue]

Section [5] 4. City taxes and other City charges, except water charges, against said properties are hereby cancelled 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 [6] 5. The Council hereby approves the addition of the following parcels to the parcels approved for sale as a part of the 2001 Home Expo Program, as approved in Ordinance No. 2001-67:

Address	S.B.L.#
548-552.5 Conkey Ave.	91.69-2-11
76 Evergreen St.	106.30-3-80
363 Troup St.	120.43-3-17
319 Kenwood Ave.	120.66-3-15
105 Lozier St.	120.48-3-54

Section [7] 6. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

Ordinance No. 2001-172
(Int. No. 191)

Authorizing Release Of Easement On 100 Bickford Street

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

Section 1. The Council hereby approves the release of an easement for street purposes on the property at 100 Bickford Street.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-173
(Int. No. 192)

Authorizing Release Of Easement On 180 Fulton Avenue

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

Section 1. The Council hereby approves the release of an easement for access purposes on the property at 180 Fulton Avenue.

Section 2. This ordinance shall take effect im-

mediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-174
Re: Agreement - Housing Council,
Rehabilitation of Investor Properties
Program

Transmitted herewith for your approval is legislation authorizing an agreement with the Housing Council in the Monroe County Area, 183 E. Main Street, for continued administration of the Rehabilitation of Investor Properties Program. The maximum cost of this agreement will be \$200,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2001-02 Community Development Block Grant.

The RIP program, which was initially authorized by the City Council on June 18, 1996, provides matching grants of up to \$2,000 for exterior and home security related improvements and repairs of structures with 1-4 units. The Housing Council has administered the program since its inception; the most agreement for such administration was authorized by the Council on August 22, 2000.

To date, grants totaling \$640,607 have been provided for the improvement of 588 properties. An additional \$79,393 has been committed for the improvement of 61 other properties.

Under the proposed agreement, the Housing Council will continue to provide eligibility screening, pre- and post-construction inspections and grant disbursement services. Of the total amount allocated for the program, \$20,000 will be used to finance administrative costs; the remaining \$180,000 will be used for a minimum of 90 grants.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-174
(Int. No. 193)

**Authorizing An Amendatory Agreement With
The Housing Council In The Monroe County Area,
Inc. For The Rehabilitation Of Investor Properties
Program**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Housing Council in the Monroe County Area, Inc. for continued administrative services and grants through the Matching Grant for Materials component of the Rehabilitation of Investor Properties Program.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$200,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program.

Section 3. The agreement shall contain such ad-

ditional 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. 2001-175
Re: CDBG Appropriation - Tool Lending
Library

Transmitted herewith for your approval is legislation appropriating \$10,000 from the Housing Stock and General Property Conditions allocation of the 2001-02 Community Development Block Grant for continuation of the tool lending library administered by North East Area Development.

Tool lending libraries are designed to provide an inexpensive method by which persons can rehabilitate or improve their houses. At present, there are five such libraries within the city.

The most recent appropriation relating to one of the libraries was approved by the City Council on June 20, 2000. The proposed appropriation will provide an additional \$10,000 to the library administered by NEAD, which has 160 members.

These funds will be used for the following purposes:

1. Purchase of new tools or the replacement of used tools, from a list of tools approved by the City;
2. Rental of specialized tools approved by the City;
3. Provision of training and workshops;
4. Preparation and dissemination of promotional and marketing materials; and
5. Liability insurance.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-68

Ordinance No. 2001-175
(Int. No. 194)

**Authorizing An Agreement For A Tool Lending
Library Program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement or amendatory agreement with North East Area Development for the Tool Lending Library Program in the North East Area Development service area.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$10,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of

the 2001-02 Community Development Program.

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. 2001-176
Re: Agreement - ABC, Joint Energy
Conservation Program

Transmitted herewith for your approval is legislation authorizing an agreement with Action for a Better Community, Inc., 550 E. Main Street, for continued administration of a Joint Energy Conservation Program. The maximum cost of this amendment will be \$90,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2001-02 Community Development Block Grant.

ABC has administered an energy conservation program since 1978 through grants from the NYS Division of Economic Opportunity. Under this program, grants of up to \$1,500 per unit are provided for physical improvements that reduce energy consumption. Approximately 350 property owners participate in the program annually.

To be eligible for participation, a person has to be:

1. An owner-occupant who meets the income guidelines of the Section 8 Program, or
2. An investor-owner who ...
 - a. Rents the unit(s) to tenants who meet the guidelines,
 - b. Agrees not to increase the rent rate for at least two years, and
 - c. Contributes 35% to the cost of the improvements.

In 1994, the City began to provide supplemental CDBG funding for the program, permitting the per unit grant to be increased to up to \$3,000. The most recent agreement for such funding was authorized by the City Council on June 20, 2000.

Supplemental funding is intended to encourage owners whose properties require more extensive and expensive improvements to participate in the program. Use of the CDBG portion of the grant is limited to the following types of improvements:

1. Window replacement,
2. Furnace replacement,
3. Hot water tank replacement,
4. Attic and wall insulation, and
5. Miscellaneous repairs.

To date, CDBG grants totaling \$409,064 have been provided to 575 properties. An additional \$34,394 has been provided for administrative costs.

ABC's administration of the program includes the preparation and review of grant applications, assessment of the repair needs and coordination of the work.

In addition, it includes the conduct of a minimum of two energy conservation workshops per year.

Under the proposed amendment, the supplemental program will be continued for another year. The CDBG allocation will provide for a minimum of 55 grants and administrative costs of \$7,500.

Respectively submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-176
(Int. No. 195)

**Authorizing An Amendatory Agreement
With Action For A Better Community, Inc. For
Continued Administration Of The Joint Energy
Conservation Program - \$90,000**

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 Action for a Better Community, Inc. for continued administration of the Joint Energy Conservation Program.

Section 2. The amendatory agreement shall obligate the City of Rochester to pay an amount not to exceed \$90,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Consolidated Community Development Program.

Section 3. The amendatory 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. 2001-177
Re: Residential Assistance Program

Transmitted herewith for your approval is legislation relating to the 2000-01 Residential Assistance Program in various neighborhoods. This legislation will:

1. Appropriate \$1,310,000 from the Housing Stock and General Property Conditions allocation of the 2001-02 Community Development Block Grant to finance the program; and
2. Authorize agreements or amendatory agreements with 10 neighborhood organizations to provide for administration of the program.

The Residential Assistance Program consists of the Special Materials Grant, Home Security and Emergency Repair Grant program components. These components provide grants of up to \$3,500 to assist low-income owner-occupants in making emergency repairs and the purchase of materials for exterior repairs and home security.

Since their inception, these program components have been administered by various neighborhood organizations. The most recent agreements for such administration were authorized by the City Council

on June 20, 2000.

A summary of the grants provided under these agreements is attached. The proposed legislation will provide the funds required for continuation of the grant programs during 2001-02.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-69

Ordinance No. 2001-177
(Int. No. 196)

Authorizing Agreements With Neighborhood Organizations For Administration Of The Residential Assistance Program - \$1,310,000

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations or the following amounts are allocated for the administration of the Residential Assistance Program:

<u>Administering Agency</u> <u>Neighborhoods</u>	<u>Amount</u>
Charles Settlement House Charlotte Maplewood	\$ 125,000
Coalition of North East Associations Upper Falls	100,000
Group 14621 Community Association 14621 Neighborhood	100,000
Marketview Heights Association South Marketview Heights	100,000
Montgomery Neighborhood Center Bullshead Cornhill Genesee-Jefferson Mayors Heights 19th Ward Plymouth-Exchange Southeast Dutchtown	170,000
North East Area Development Beechwood Browncroft Culver-Winton Homestead Heights Northland Lyceum	175,000
North East Block Club Alliance North Marketview Heights	130,000
Northwest Community Services Brown Square Edgerton Lyell-Otis North Dutchtown Southwest Dutchtown Susan B. Anthony	205,000
South East Area Coalition Atlantic-University Cobbs Hill East Avenue	130,000

Ellwanger-Barry
Highland
Park Avenue
Pearl-Meigs-Monroe
Strong
Swillburg
Upper Monroe

South Wedge Planning Committee 75,000
South Wedge

Total \$1,310,000

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$1,310,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Consolidated Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-178
Re: Home Purchase Assistance Program

Transmitted herewith for your approval is legislation relating to the Home Purchase Assistance Program. This legislation will:

1. Appropriate \$400,000 from the 2001-02 HOME allocation to provide funds for the program; and
2. Authorize any necessary agreements.

The Home Purchase Assistance Program, which was established by the City Council on March 19, 1996, provides financial assistance to low- and moderate-income persons who qualify for mortgages but do not have sufficient funds for a down payment or closing costs. To be eligible for assistance, a person must be a prospective owner-occupant of a one- or two-family house, satisfy the income qualifications of the HOME program and participate in homebuyer training.

The financial assistance consists of loans of up to \$5,000 for persons who intend to reside in the Enterprise Community Zone and loans of up to \$3,000 for persons who live in other areas of the city. A loan is forgiven if the recipient continues to reside in the house and the property is not sold for five years.

To date, \$1,743,800 has been appropriated for the program. \$1,663,890 of this amount has been expended or committed for 562 homebuyers; an additional \$79,910 was used to finance administrative expenses.

It is projected that the proposed appropriation will provide assistance to approximately 133 households.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-178
(Int. No. 197)

Appropriation Of Funds And Authorizing Agreements For The Home Purchase Assistance Program

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

Section 1. The sum of \$400,000, or so much thereof as may be necessary, is hereby appropriated from 2001-02 HOME Program Funds to fund the Home Purchase Assistance Program.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Home Purchase Assistance Program.

Section 3. The agreements shall contain such 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. 2001-179
Re: Agreement - Housing Council in the
Monroe County Area, Inc., Mortgage
Default Resolution

Transmitted herewith for your approval is legislation authorizing an agreement with the Housing Council in the Monroe County Area, Inc., 183 East Main Street, for the continued provision of mortgage default resolution services. The maximum cost of the agreement will be \$225,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2000-01 and 2001-02 Community Development Block Grants.

The Housing Council has provided mortgage default resolution services since 1975 and has administered the mortgage relief grants since 1990. The current agreement for provision of these services was authorized by the City Council on May 16, 2000.

Following is a summary of the Housing Council's performance through March, 2001.

	9 Month Planned	9 Month Actual
Counseling Cases	126	130
Mortgage Relief Grants		
Number	10	13
Amount	\$25,000	\$25,498

During the period, 96% that were closed resulted in the prevention of foreclosures. Resolutions included reinstatement, sale or refinancing.

The proposed agreement will provide for continuation of these services during 2001-02. Of the total cost of the agreement, \$195,000 will be allocated for default resolution services and \$ 30,000 will be budgeted for mortgage relief grants.

The maximum grant is \$2,500. The grant is secured with a five-year lien against the property. If the property is sold or rented during this period, repayment of

the grant is required.

The grants are intended "... to prevent mortgage foreclosure in cases of emergency when a home owner stands a reasonable chance of resuming monthly payments". To be eligible for a grant, a person must:

1. Own a one- or two-family house and reside in it.
2. Have a family income within the guidelines specified for the Section 8 program.
3. Be confronted with financial difficulties and a potential mortgage default because of circumstances beyond the control of the family, such as unemployment or unforeseen medical expenses.
4. Be able to reasonably demonstrate that these financial difficulties are likely to be temporary.
5. Participate in the mortgage default counseling and resolution process provided by the Housing Council.

The counseling and resolution process includes household budget and income analyses and negotiation with mortgage lenders and other parties such as HUD/FHA to arrive at appropriate resolutions. Possible resolutions include refinancing, negotiated repayments and use of grants for eligible clients.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-70

Ordinance No. 2001-179
(Int. No. 198)

Authorizing An Agreement With The Housing Council In The Monroe County Area, Inc. For The Continued Provision Of Mortgage Services - \$225,000

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Housing Council in the Monroe County Area, Inc. for the continued provision of mortgage default resolution services and counseling and continued administration of the Mortgage Default Resolution Program.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$225,000, and said amount, or so much thereof as may be necessary, \$25,000 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program and the balance of \$200,000 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program.

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. 2001-180
Re: Agreements - Landlord and Tenant
Services

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for the continued provision of various services to landlords and tenants:

<u>Organization</u>	<u>Amount</u>
Housing Council in the Monroe County Area	\$70,000
Legal Aid Society	70,000
Monroe County Legal Assistance Corporation	23,000
Spanish Action Coalition	33,000

The cost of these agreements will be financed from the Housing Stock and General Property Conditions allocation of the 2000-01 and 2001-02 Community Development Block Grants.

According to the 1990 census, there are approximately 96,000 occupied housing units in the city. Of this number, approximately 56% are rental units.

For several years, the City has sponsored various programs designed to enhance awareness of landlords and tenants of their respective responsibilities, encourage improved property maintenance and reduce vacancies and evictions. The aforementioned agencies have provided these programs under periodic agreements; the most recent agreements were authorized by the City Council on May 16, 2000.

A summary of the 2000-01 performance of each agency is attached. Following are their planned services for 2001-02.

<u>Organization</u>	<u>Program</u>	<u>Services</u>
Housing Council	Landlord Training	Landlord training classes One-on-one counseling Telephone hotline service
Legal Aid Society	Owner-Tenant Mediation	Housing Court advocacy Mediation services Community workshops
MCLAC	Low Income Tenant Legal Services	Housing Court representation Integrated case management Eviction counseling
Spanish Action Coalition	Tenant Education	Tenant education seminars Community outreach

Sincerely,
William A. Johnson, Jr.
Mayor

Attachment No. AA-71

Ordinance No. 2001-180
(Int. No. 199)

Authorizing Agreements For Landlord And Tenant Services - \$196,000

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations in amounts not to exceed the following for Landlord and Tenant Services:

<u>Organization</u>	<u>Amount</u>
Housing Council in the Monroe County Area, Inc.	\$70,000
Legal Aid Society	70,000
Monroe County Legal Assistance Corporation	23,000
Spanish Action Coalition	33,000

Section 2. The agreements shall obligate the City to pay an amount not to exceed \$196,000, and of said amount, or so much thereof as may be necessary, \$4,000 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program and \$192,000 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-181
Re: Agreements - Housing Development

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for the continued provision of housing development services.

<u>Organization</u>	<u>Amount</u>
Housing Opportunities, Inc.	\$125,000
Urban League of Rochester Economic Development Corporation	85,000
	<u>\$210,000</u>

The costs of these agreements will be financed from the Housing Stock and General Property Conditions allocation of the 2001-02 Community Development Block Grant and from the Community Housing Development Organization allocation of the 2001 HOME Program.

For several years, under periodic agreements, HOP and ULREDC have provided various housing de-

velopment services in support of the City's housing policies and initiatives. The most recent agreements were authorized by the City Council on June 20, 2000. Following is a summary of their performance under those agreements.

	Goal	Actual
HOP		
HOME Rochester houses rehabilitated	12	3
Rental units developed	45	45
Tenants served (rental units)	250	250
Projects planned/researched	4	4
ULREDC		
HOME Rochester houses rehabilitated	12	2
New houses constructed	15	22
Tenants served (rental units)	6	6
Projects planned/researched	2	3

Activities proposed for 2001-02 include the following:

HOP

1. Tenant Services: Homeownership Assistance Program - Promote, in conjunction with the Home Store, homeownership among 250 tenant households, thus helping to provide rental opportunities for the 200 households on HOP's waiting list.
2. Property Management Assistance - Provide technical assistance to non-profit developers that own or are exploring ownership of rental housing and that do not have sufficient experience or capacity to manage such properties independently.
3. Development Projects
 - a. Anthony Square - Continue development of 45 affordable rental units and the redevelopment of immediately adjacent areas.
 - b. Susan B. Anthony Neighborhood Collaborative - Develop four new single-family houses in conjunction with the Landmark Society of Western New York, Northwest Community Services, the Susan B. Anthony House, and the neighborhood organization.
 - c. Monroe Place Rental - Continue to explore development of 928-932 Monroe Avenue as 10 rental units.
 - d. Marketview Heights - Continue collaborative planning with the Marketview Heights Association to replace non-conforming mini-marts with residential uses and convert problem rental properties to stable, affordable housing.
 - e. Suburban Rental Projects/Planning Studies - Continue planning and development of a family rental project in Greece and an elderly rental project in Henrietta and conduct three feasibility studies for city development projects.
 - f. Home Rochester - Rehabilitate four structures.
 - g. Sojourner Project - Continue to explore development of 12 units in the Marketview

Heights neighborhood.

ULREDC

1. HOME Rochester - Rehabilitate 12 structures.
2. New Single-Family Construction - Construct 15 new homes through Home Expo and the Suburban Scattered Site Project and seek funding to develop one additional project.
3. Rental Development - Develop a minimum of six rental units and seek funding to develop at least one additional project.
4. Homeownership - Assist the Home Store to develop outreach/homeownership education programs, including an employer-based assistance program.
5. Property Management - Develop and implement a property management company to manage ULREDC rental properties, which currently contains 30 units.

These agreements represent 30% of HOP's total budget of \$416,666 and 15% of ULREDC's total budget of \$603,593.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-181
(Int. No. 200)

Authorizing Agreements For Housing Development Support - \$210,000

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 Housing Opportunities, Inc., in an amount not to exceed \$125,000, and the Urban League of Rochester Economic Development Corporation, in an amount not to exceed \$85,000, for development and management of housing units for low-income families.

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$210,000, and of said amount, or so much thereof as may be necessary, \$150,000 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Block Grant Program and \$60,000 is hereby appropriated from 2001 HOME Program Funds.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-182
Re: Agreement - Greater Rochester
Housing Partnership, Operating
Support

Transmitted herewith for your approval is legislation authorizing an agreement with the Greater Rochester Housing Partnership Inc., 183 E. Main Street, for continued financing of its operation. The maximum cost of this agreement is \$85,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2001-02 Community Development Block Grant.

GRHP was established in 1991 to promote affordable housing throughout Monroe County by encouraging private investment, soliciting contributions and seeking federal and state funding. The City has provided funds to finance GRHP's administrative costs since its inception.

To date, \$1,563,000 has been allocated for this purpose. The most recent allocation was authorized by the City Council on May 16, 2000.

Following is a summary of GRHP's accomplishments between July, 2000 and April, 2001:

1. Acquisition/Rehabilitation

Goal: Have capacity to provide financing, property management services and technical assistance for at least 30 houses through the HOME program.

Status: Mortgages for 14 houses have been closed and mortgages for 17 other houses are pending.

2. Single-Family/New Construction

Goal: Provide at least \$600,000 in construction financing to developers of new single-family houses.

Status: \$878,459 was provided for 14 houses that have been sold and \$693,333 has been provided for financing 13 houses under construction.

3. Rental Projects

Goal: Provide direct construction loans.

Status: Six rental projects containing 157 units received loans totaling \$6,122,874.

Goal: Continue management of the Low Income Tax Credit Fund.

Status: Management of 69 units in three projects was continued.

Goal: Continue management of the "Seed Fund" for pre-development expenses.

Status: Frederick Douglass Village loan (\$10,000) to support development of 23 units was repaid.

Under the proposed agreement, GRHP will continue these activities during 2001-02.

The maximum cost of the agreement is \$53,000 less than the cost of the current agreement. The reduction relates to the amount that was used for reimbursement of accumulated debt incurred on past projects involving the City. That repayment has been completed.

Respectfully submitted,

William A. Johnson, Jr.
Mayor

Ordinance No. 2001-182
(Int. No. 211)

Authorizing An Agreement With The Greater Rochester Housing Partnership, Inc. For Housing Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Greater Rochester Housing Partnership, Inc. for continued housing services.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$85,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program.

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. 2001-183
Re: Agreement - Landmark Society,
Real Estate Marketing Initiative

Transmitted herewith for your approval is legislation authorizing an agreement with the Landmark Society of Western New York, Inc., 133 S. Fitzhugh Street, for continuation of the Real Estate Marketing Initiative. The maximum cost of the agreement will be \$85,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2001-02 Community Development Block Grant.

The Marketing Initiative, which was begun in 1998, is designed to encourage more people to consider purchasing city homes, to assist real estate agents to list and sell properties in the city, to assist neighborhood associations in developing relationships with the real estate community, and to promote the historic qualities and unique character of city neighborhoods and homes. The program is administered by the Landmark Society with the assistance of the Greater Rochester Association of Realtors.

The most recent agreement for such administration was authorized by the City Council on October 17, 2000. Under this agreement, during the past year...

1. The "Home Room", which contains informational materials and displays about city living and a multiple listing service computer, was visited by 175 persons;
2. The "Home Room" Web Site, which contains listings by neighborhood, averaged 245 "visitor sessions" per day;
3. The "Marketing Historic Houses Successfully" training class, which provides 15 hours

of instruction, was completed by 26 real estate agents, increasing the total number of agents attending classes to 164;

4. City neighborhoods were featured in five editions of the Landmark Society's newsletters;
5. Two "Mall Boards", touch-screen computers located in shopping malls, were tested but were discontinued because of the lack of utilization; and
6. A presentation on city living was made to corporate relocation personnel.

Under the proposed agreement, the Landmark Society will...

1. Continue to operate the Home Room;
2. Expand and link the Web Site to other relevant web sites;
3. Continue to provide two classes of real estate agent training, which has been approved by the NYS Department of State for credit for the Realtor Continuing Education Program;
4. Continue to contribute to the "Home Work" column of City newspaper; and
5. Continue to support "City Living Sundays."

The cost of the proposed agreement is \$15,000 more than the cost of the present agreement. This increase in cost will allow the Landmark Society to expand its advertising to include frequent "Best Buy" advertisements in the Democrat & Chronicle and in City newspaper whose ads feature color photos of houses available in Rochester.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-183
(Int. No. 213)

Authorizing An Agreement For The Real Estate Marketing Initiative

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Landmark Society of Western New York, Inc. to continue the real estate marketing initiative.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$85,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program.

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. 2001-184
Re: Agreement - DeWolff Partnership
Architects, N. Clinton Avenue
Revitalization Project

Transmitted herewith for your approval is legislation authorizing an agreement with DeWolff Partnership Architects, 151 St. Paul Street, for preparation of design and development concepts and plans for La Avenida, the portion of N. Clinton Avenue between Upper Falls Boulevard and Avenue D. The maximum cost of this agreement will be \$35,000, which will be financed from the 2000-01 budget of the Economic Development Department.

In April, 2000, the City presented the following action plan for revitalization of the aforementioned area:

1. Conduct of focus groups or "visioning" workshops involving neighborhood residents and business owners;
2. Completion of an economic analysis of the area, to determine needs and opportunities;
3. Preparation of design and development concepts, based upon the results of the workshops and economic analysis; and
4. Implementation of the concepts.

Four workshops, in which 47 persons participated, were conducted in May, 2000, while the economic analysis was completed by EDD personnel in the winter. Summaries of the results of the workshops and analysis are available for review in the Office of the City Clerk.

Proposals for preparation of design and development concepts were solicited from two firms. Only one proposal was received.

Under the proposed agreement, DeWolff will:

1. Conduct a visual assessment and investigation of the area;
2. Prepare design concept alternatives;
3. Present these alternatives in a public charette;
4. Based upon the public comments, prepare a master plan for the area that includes:
 - a. Proposed public improvements,
 - b. Suggested exterior improvements to existing private buildings,
 - c. Possible development opportunities, and
 - d. Cost estimates.

The project is expected to be completed within 18 weeks.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-184
(Int. No. 216)

Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement For The North Clinton Avenue Neighborhood Commercial Revitalization Project

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

Section 1. The sum of \$30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and DeWolff Partnership Architects for design concept and design development plans for the North Clinton Avenue Neighborhood Commercial Revitalization Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded from the 2000-01 Budget of the Economic Development Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-185
Re: Agreement - Monroe County, Move-In/
Move-Out Inspection and Proactive
Property Management Programs

Transmitted herewith for your approval is legislation authorizing agreements with Monroe County for continuation and/or expansion of the Move-In/Move-Out Inspection and Proactive Property Management Programs.

Under the Move-In/Move-Out Inspection Program, inspection services are provided by the City when recipients of assistance from the Department of Social Services move into or out of properties. The inspections are intended to document any damage done to the properties and to thereby determine whether damage claims by landlords against DSS are valid.

The program began as a demonstration project in the Group 14621 area in 1994. In 1995, the program was expanded to areas with zip codes 14608, 14611, 14613, and 14619 and in 1997 it was further expanded to include all areas of the city.

Under the Proactive Property Management Program, inspection services are provided to determine whether a property complies with the quality standards developed by DSS and NET. Compliance entitles a landlord to receive direct payment of rent by DSS.

The program began as a demonstration project in areas with zip codes 14609, 14611 and 14613 in 2000. Beginning July 1, it will be expanded to include all areas of the county.

Originally, the program included a component in which "points" were assigned to properties which had frequent code violations or which were the site of illegal activities. Direct rent payments were to be terminated for any property that accumulated 12 points within six months or 18 points within 12 months. This component will not be included in the expanded program, since during the demonstration period no property accumulated the specified number of points.

The tenant training component also included in the

program will be continued. Tenants who move more than twice within a year, who are responsible for damage claims of more than \$500, or who are responsible for multiple "quality of life" violations will continue to be required to complete a tenant education course provided by the Housing Council in the Monroe County Area. The instruction will relate to responsibilities of life and parenting skills, drug awareness, housekeeping, neighborliness and self-esteem.

It is estimated that, during 2000-01, 4,500 Move-In/Move-Out inspections and 1,400 Proactive Property Management inspections will be conducted. During 2001-02, the total number of inspections is expected to increase to 10,000 because of the expansion of the latter program.

The expansion will require the addition of five inspectors and two clerks. The cost of these personnel, and all other associated costs, will be financed by Monroe County, up to a maximum annual cost of \$103,906 for the Move-In/Move-Out inspections and \$349,922 for the Proactive Property Management inspections.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-185
(Int. No. 226)

Authorizing Agreements With The County Of Monroe For Reimbursement For Inspection Services

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

Section 1. The Mayor is hereby authorized to enter into agreements with the County of Monroe for reimbursement for inspections from January 1, 2000-June 30, 2002 conducted by the City for the Move-In/Move-Out and Proactive Property Management Programs of the County of Monroe Department of Social Services.

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.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Resolution No. 2001-6
Re: Appointment - Rochester
Preservation Board

Transmitted herewith for your approval is legislation confirming the appointment of Joseph Skwara, 1170 East Avenue, to the Rochester Preservation Board.

Mr. Skwara will replace Paul McAndrew, whose term expired and who, under section 115-17.A.1. of the City Code, was not eligible for reappointment. His term will extend through June 30, 2004.

Mr. Skwara is a resident of the East Avenue Preservation District. A copy of his resume is on file in the Office of the City Clerk.

Respectfully submitted,

William A. Johnson, Jr.
Mayor

Councilman Norwood moved to amend Introductory No. 228.

The motion was seconded by Councilman Curran.

The motion was adopted unanimously.

Resolution No. 2001-6
(Int. No. 228, As Amended)

Resolution Approving Appointment To The Rochester Preservation Board

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

Section 1. The Council hereby approves the appointment of Joseph Skwara, 1170 East Avenue, to the Rochester Preservation Board for a term which shall expire on June 30, 2004. Mr. Skwara will replace [Paul McAndrew, whose term has expired] John Strawway, who has resigned.

Section 2. This resolution shall take effect immediately.

Bracketed material deleted; underlined material added.

Adopted unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-186
Re: Valley Manor Apartments

Transmitted herewith for your approval is legislation relating to the Valley Manor Apartments. This legislation will:

1. Amend the Zoning Map by changing the classification of 1570 East Avenue from H-4 High Medium Density Historic District/Overlay-Institutional Planned Development District #4 to IPD #4 and the classification of 1505 University Avenue from H-4 High Medium Density Historic District to IPD #4; and
2. Amend the Current Plan for IPD #4.

1570 East Avenue contains 4.7 acres and a nine story building with 153 apartments for senior citizens, the Valley Manor Apartments. The O-IPD District #4 for the property was established by the City Council on November 9, 1976.

1505 University Avenue contains Schmitt's Senior Resource Center, a one-story accessory building to Valley Manor. It was constructed in 1994.

The changes in the zoning classification of the two properties and in the Current Plan for IPD #4 were requested by the owner and the properties, Presbyterian Residence Center Corporation. If the changes are approved, a one-story addition to Schmitt's Senior Resource Center, containing eight assisted living units, would be constructed.

The change in the Current Plan would establish two sub-areas. The first sub-area would include 1570 East Avenue, while the second sub-area would include

1505 University Avenue.

The provisions of the Current Plan would be maintained for the first sub-area. The following modified provisions would apply to the second sub-area:

Maximum building height:	Same as H-4 District
Minimum yard requirements:	
East Avenue	105'
University Avenue	30'
Eastern side	0'
Western side	8' for building 15' for parking
Parking:	1 space for each
1,000	square feet of net floor area

The Floor Area Ratio for the second sub-area would be 1.22, which is the same as the existing ratio for the first sub-area.

The Planning Commission held an informational hearing on the requested changes on May 7; there were two speakers, who supported the changes. The Commission recommended by a vote of 7-0 that the changes be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the changes will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-72

Ordinance No. 2001-186
(Int. No. 227)

Changing The Zoning Classification Of 1505 University Avenue From H-4 Medium High Historic To IPD#4-Valley Manor And Of 1570 East Avenue From H-4/O-IPD#4 To IPD#4 And Amending The Current Plan For IPD#4

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by changing the zoning classification of the properties described in Ordinance No. 76-502, now constituting 1570 East Avenue, from H-4 Medium High Historic/O-IPD#4 Overlay-IPD#4 to IPD#4-Valley Manor.

Section 2. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by changing the zoning classification of the following-described property, constituting 1505 University Avenue, from H-4 Medium High Historic to IPD#4-Valley Manor:

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:

Commencing at a point in the northerly line of East Avenue said point being 518.32 feet northwesterly along the northerly line of East Avenue from the northerly extension of the westerly line of Colby Street, thence, northerly making an angle of 90° 07' 49" in the northeast quadrant with the north line of East Avenue a distance of 300 feet to the true point or place of beginning point being the southwest corner of lands deeded to the Prescor Corporation as per a deed recorded in the Monroe County Clerk's Office on April 1, 1994 and filed in Liber 8459 of deeds at page 557;

Thence 1) Northerly along the westerly line of lands owned now or formerly by the Prescor Corporation and it's northerly extension a distance of 248.5 feet more or less to the centerline of University Avenue;

Thence 2) Easterly along the centerline of University Avenue to the northerly extension of the easterly line of lands now or formerly owned by the said Prescor Corporation;

Thence 3) Southerly along said extension and the easterly line of said lands of the Prescor Corporation a distance of 289.5 feet more or less to the southeast corner of said lands said point also being the northeast corner of lands conveyed to the Day Care Center for Handicapped Children Corporation by a deed in Liber 3158 of deeds at page 162.

Thence 4) Northwesterly and forming an interior angle of 92° 06' 04" with the last Course a distance of 168.53 feet to the point or place of beginning.

Section 3. The Council hereby approves an amendment to the Current Plan for IPD#4-Valley Manor to include the parcel described in Section 1 as Sub-Area I and the parcel described in Section 2 as Sub-Area II. The Council hereby amends the current plan for IPD#4-Valley Manor to read as follows:

IPD#4-Valley Manor

A. Purpose: IPD#4 is intended to recognize and permit a defined area for the unified and orderly development of the Valley Manor Senior Center, maintaining an integrated facility that provides a whole continuum of care for the elderly. IPD districts allow flexibility in planning and development and provide a process for evaluating and accommodating incremental growth and change, thereby assuring compatibility with adjacent, noninstitutional districts.

B. Permitted uses: Permitted uses include, but are not limited to, the following uses when consistent with the above purpose and subject to the provisions of 115-65:

1. Residential Buildings for Seniors
2. Nursing Homes and Hospice
3. Residential Care Facilities for Seniors
4. Clinics
5. Community Centers for Seniors

C. Accessory uses and structures: Accessory uses and structures are permitted in the IPD#4, subject to the provisions of D. below and consistent

with the purpose indicated in A. above.

D. Bulk, space and yard requirements:

1. Sub-Area I: The provisions of the H-4 District, as described in 115-76, apply with the following exception: No set back is required along the western boundary of Sub-Area I.

a. Maximum F.A.R. 1.22

2. Sub-Area II:

a. Maximum height: Same as H-4 District
b. Minimum yard requirements:

(1) Yards along streets:

(a) East Avenue 105 feet
(b) University Avenue 30 feet

(2) Side Yards

(a) Western side yard
8 feet for buildings
15 feet for parking

(b) Eastern side yard
0

c. Maximum F.A.R. 1.22

E. Parking: Off-street parking requirements are set forth below, subject to the standards of 115-90 and the additional standards set forth in 115-75H:

1. Sub-Area I: 1 space for each 4 beds

2. Sub-Area II: 1 space for each 1,000 square feet of net floor area

F. Regulations set forth in 115-95C(5) regarding telecommunication antennas and towers shall apply to this IPD.

G. Amendments to or modifications of this district are subject to the procedures set forth in 115-27.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-187 and
Ordinance No. 2001-188

Re: Technical Amendments

Transmitted herewith for your approval is legislation approving two technical amendments. This legislation will:

1. Correct an amendment to the 2000-01 budget that was approved by the City Council on November 14, 2000;
2. Provide, as planned, for the reimbursement of the General Fund by Community Development Block Grants of the cost of the agreement with Peter Smith & Co. for assistance in the development of the anticipated Center City Design District, which was approved by the Council on May 15.

The first technical amendment relates to two grants received by the Library to finance improvements to the Toy Library at the Lincoln branch library and the enhancement of the children's collections at the Winton and Sully branch libraries. The original budget amendment increased the appropriations of the Library's budget by the total amount of the grants, \$20,000. The proposed technical amendment will transfer \$5,000 of this amount to the Cash Capital allocation of the Library.

The second technical amendment will provide for the planned reimbursement by amending various CDBGs and appropriating the funds. A public hearing on the CDBG amendments is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-187
(Int. No. 229)

Amending Ordinance No. 2000-383 And The 2000-01 Budget For The Rochester Public Library

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

Section 1. Section 2 of Ordinance No. 2000-383, which amended Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby amended to increase the revenue estimates and appropriations to the Rochester Public Library by the sum of \$15,000, and the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$5,000, which amounts are appropriated from the grants authorized in Ordinance No. 2000-383.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-188
(Int. No. 230)

Authorizing Amendatory 1995-96, 1996-97, 1997-98, 1998-99 And 1999-2000 Community Development Program Plans, Amending Ordinances And Funding For The Center City Design District Project

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

Section 1. Ordinance No. 2001-140, relating to an agreement for the Center City Design District Project, is hereby amended by repealing Section 2 thereof and the second sentence of Section 1 thereof. Of the sum of \$86,300 necessary to fund said agreement, \$10,484 is hereby appropriated from the Other Programs Allocation of the 1995-96 Community Development Program, \$14,907 is hereby appropriated from the Other Programs Allocation of the 1996-97 Community Development Program, \$33,955 is hereby appropriated from the Other Programs Allocation of the 1997-98 Community Development Program, \$1,954 is hereby appropriated from the Other Programs Allocation of the 1998-99 Community Development Program, and \$25,000 is hereby appropriated from the Other Programs Allocation of the 1999-2000 Community Development Program.

Section 2. The 1995-96, 1996-97, 1997-98, 1998-99 and 1999-2000 Community Development Program Plans are hereby amended and the following Ordinances are hereby amended to reduce the amounts appropriated therein for the designated programs as follows:

In the 1995-96 Community Development Program the following amounts shall be transferred from their current accounts to a new account for the Center City Design District Project in the Other Programs Allocation:

Support Neighbors Building Neighborhoods
Geographic Information System: \$569
Neighborhood Planning Studies: \$815 (Ordinance No. 95-338)

Promote Economic Stability
Street Lighting: \$2,570
North Street Day Care Improvements: \$4,985 (Ordinance No. 94-77)

Improving the Housing Stock and General Property Conditions
1997 Home Expo Program: \$479 (Ordinance No. 97-86)
Demolition: \$155 (Ordinance No. 95-264)
HILP: \$300 (Ordinance No. 93-319)
Rental Rehabilitation Program: \$100
Homesteading / Low Income Rental Program: \$311 (Ordinance No. 95-330)
Residential Assistance Program: \$200 (Ordinance No. 96-38)

In the 1996-97 Community Development Program the following amounts shall be transferred from their current accounts to a new account for the Center City Design District Project in the Other Programs Allocation:

Support Neighbors Building Neighborhoods
Neighborhood Beautification: \$277 (Ordinance No. 98-185)
Geographic Information System: \$26 (Ordinance No. 96-257)
Sector Planning Support: \$1,803 (Ordinance No. 96-257)

Improving the Housing Stock and General Property Conditions
Home Reoccupation / Vacant Grant Program: \$979 (Ordinance No. 97-87)
Homebuyer Assistance Program: \$778 (Ordinance No. 95-103)
Demolition: \$337 (Ordinance No. 94-273)
Demolition: \$216 (Ordinance No. 96-285)
Hoeltzer Street Buffering Program: \$43 (Ordinance No. 97-135)
Housing Development Services Program: \$100
Graffiti Control Program: \$973 (Ordinance No. 96-175)
Graffiti Control Program: \$12 (Ordinance No. 98-18)
Housing Occupancy Initiative -Revolving Fund for Acquisition Program: \$4,783 (Ordinance No. 94-358)
Fair Housing Initiative: \$4,580

In the 1997-98 Community Development Program the following amounts shall be transferred from their current accounts to a new account for the Center City Design District Project in the Other Programs Allocation:

Support Neighbors Building Neighborhoods

Sector Planning Support: \$25,000 (Ordinance No. 97-306)

By Councilmember Mains
June 19, 2001

Improving the Housing Stock and General Property Conditions

Landlord Training / Tenant Education: \$331 (Ordinance No. 97-281)

Demolition: \$8,624 (Ordinance No. 97-214)

In the 1998-99 Community Development Program the following amounts shall be transferred from their current accounts to a new account for the Center City Design District Project in the Other Programs Allocation:

Improving the Housing Stock and General Property Conditions

Home Reoccupation Program: \$1,276 (Ordinance No. 98-280)

Real Estate Marketing Initiative: \$78 (Ordinance No. 99-118)

Residential Assistance Program: \$600

In the 1999-2000 Community Development Program the following amounts shall be transferred from their current accounts to a new account for the Center City Design District Project in the Other Programs Allocation:

Support Neighbors Building Neighborhoods
Geographic Information System: \$25,000 (Ordinance No. 2000-215)

Section 3. The Mayor is hereby authorized to enter into such amendatory agreements as may be necessary to implement the reductions authorized herein.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Introductory No. 225

AMENDING SECTION 52-5 OF THE MUNICIPAL CODE, PROCEDURE FOR ENFORCEMENT, WITH RESPECT TO THE ISSUANCE OF IMMEDIATE TICKETS FOR COMMERCIAL ACTIVITIES IN VIOLATION OF THE ZONING ORDINANCE

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

Section 1. Section 52-5 of the Municipal Code, procedure for enforcement, as amended, is hereby further amended by repealing the final sentence of Subsection A(1) thereof, relating to the issuance of immediate tickets for commercial activities in violation of the Zoning Ordinance.

Section 2. This ordinance shall take effect immediately.

Held in committee.

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 201 - Cancellation Of Taxes And Charges

Int. No. 202 - Approving The 2001-02 Operating And Capital Budgets Of The Cultural Center Commission

Int. No. 203 - Approving Business Programs

Int. No. 204 - Establishing \$20,000 As Maximum Compensation For A Professional Services Agreement For An East End Parking Study

Int. No. 205 - Authorizing An Agreement With Allright New York Parking, Inc. For The Operation Of The Municipal Parking Lot At 111 Franklin Street

Int. No. 207 - Establishing \$195,000 As Maximum Compensation For A Professional Services Agreement With HRH Risk Management For The Continued Administration Of The City's Workers' Compensation Program

Int. No. 210 - Authorizing An Agreement For Operation Of High Falls Garage

Int. No. 214 - Establishing Maximum Compensation For A Professional Services Agreement With Deloitte & Touche, LLP For Audit Services For Street Projects

Int. No. 215 - Authorizing An Application And Agreements For A Center City Signage Project And Amending The 2000-01 Budget

The Jobs, Finance, and Governance Committee recommends for consideration the following entitled legislation:

Int. No. 217C - Amending The 2001-02 Budget Of The City Of Rochester In Regard To Research For The La Avenida Project - \$5,000

Int. No. 217D - Amending The 2001-02 Budget Of The City Of Rochester In Regard To The Champion Streets Demonstration Project - \$50,000

Int. No. 217E - Amending The 2001-02 Budget Of The City Of Rochester In Regard To The Impact Of The Closing Of Genesee Hospital - \$20,000

Int. No. 217F - Amending The City Code And The Proposed 2001-02 Budget In Regard To Compensation For Election Inspectors - \$7,500

Int. No. 217G - Amending The 2001-02 Budget Of The City Of Rochester In Regard To A Matching Grant For Docking Facilities - \$15,000

Int. No. 217H - Amending The 2001-02 Budget Of The City Of Rochester In Regard To Transportation And Job Development - \$5,000

Int. No. 217I - Amending The Proposed Budget In Regard To Park Security Personnel - \$20,000

Int. No. 217J - Amending The 2001-02 Budget Of The City Of Rochester In Regard To The Human

Rights Legislation Public Information Campaign
- \$30,000

Int. No. 217K - Amending The 2001-02 Budget
Of The City Of Rochester In Regard To HUBZones
- \$20,000

Int. No. 217L - Amending The 2001-02 Budget
Of The City Of Rochester In Regard To A Challenge
Grant For The Public Library - \$10,000

Int. No. 217M - Amending The 2001-02 Budget Of
The City Of Rochester In Regard To Spanish Transla-
tion - \$5,000

Int. No. 217N - Amending The 2001-02 Budget
Of The City Of Rochester In Regard To A Monroe
Avenue Matching Grant Initiative - \$25,000

Int. No. 217O - Amending The 2001-02 Budget Of
The City Of Rochester In Regard To Overtime For
Board-ups Of Vacant Buildings - \$29,800

Int. No. 217P - Amending The 2001-02 Budget Of
The City Of Rochester In Regard To Materials For
The Community Library - \$20,000

Int. No. 217Q - Amending The 2001-02 Budget
Of The City Of Rochester In Regard To Tree Health
Care - \$30,000

Int. No. 217R - Amending The Proposed 2001-02
Budget In Regard To A Job Development Fund
- \$300,000

Int. No. 217S - Amending The 2001-02 Budget Of
The City Of Rochester In Regard To The Bureau Of
Human Resource Management - \$323,000

Int. No. 217T - Resolution Of Budgetary Intent
- Contingency Planning Regarding The New York
State Budget

Int. No. 217 - Adoption Of The Budget Estimates
For Municipal Purposes For The 2001-02 Fiscal Year,
And Appropriation Of Sums Set Forth Therein And
Approving Commercial Refuse Fees

Int. No. 218 - Adoption Of The Budget Estimates
For School Purposes For The Fiscal Year Commenc-
ing July 1, 2001 And Expiring June 30, 2002, And
Appropriation Of Sums Set Forth Therein

Int. No. 219 - Levying Taxes For Municipal Pur-
poses For The Fiscal Year Commencing July 1, 2001
And Expiring June 30, 2002

Int. No. 220 - Levying Taxes For School Purposes
For The Fiscal Year Commencing July 1, 2001 And
Expiring June 30, 2002

Int. No. 221 - Local Improvement Ordinance -
Street Cleaning, Street And Sidewalk Snow Removal,
And Hazardous Sidewalk Repair Commencing July
1, 2001 And Expiring June 30, 2002

Int. No. 222 - Confirming The Assessments,
Amounts And Charges To Be Inserted In The Annual
Tax Rolls For The Fiscal Year Commencing July 1,
2001 And Expiring June 30, 2002

Int. No. 223 - Amending The Municipal Code With
Respect To Wholesale Water Rates And Hydrant Use
Permit Fees

The following entitled legislation is being held in
committee:

Int. No. 206 - Establishing \$30,000 As Maximum
Compensation For A Professional Services Agreement
For A Plan For The Genesee Crossroads Parking
Garage

The following entitled legislation failed in com-
mittee:

Int. No. 217A - Amending The Proposed 2001-02
Budget In Regard To Reallocations For Job Develop-
ment - \$1,450,000

Int. No. 217B - Amending The Proposed 2001-02
Budget In Regard To EZ Rider - \$375,200

Respectfully submitted,
Tim O. Mains (Did not vote on Intro. No. 201 and
Intro. No. 202.)

Brian F. Curran
Nancy K. Griswold
Lois J. Giess (Did not vote on Intro. No. 207 through
Intro. No. 215.)

Gladys Santiago (Did not vote on Intro. No. 205 and
Intro. No. 207 through Intro. No. 215.)

JOBS, FINANCE, AND GOVERNANCE COM-
MITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-189
Re: Cancellation or Refund of Erroneous
Taxes and Charges

Transmitted herewith for your approval is legislation
approving the cancellation or refund of taxes and
charges totaling \$11,524.29.

Of the total, \$6,000 (52.1%) relates to code viola-
tion charges that were incurred by the former owner
of the property. The present owner has abated the
violations.

Of the remaining amount, \$1,025.28 (8.9%) relates to
delinquent water charges for a condominium building
that were erroneously assigned to a single unit, while
\$4,499.01 (39.0%) relates to properties for which tax
exemptions were erroneously omitted.

If the proposed cancellations are approved, total can-
cellations during 2000-01 will be \$283,044.53.

	<u>Accounts</u>	<u>Amounts</u>
City Council	29	\$223,852.90
Administrative	<u>237</u>	<u>59,191.63</u>
Total	266	\$283,044.53

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-189
(Int. No. 201)

Cancellation Of Taxes And Charges

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

Section 1. The City Treasurer is authorized to

cancel the following taxes and charges:

- a. Property transferred through an arm's length sale where the new owner has brought the property into code compliance.

S.B.L.#	Class	Tax Year
Address	Amount Cancelled	
091.540-0001-044	NH	2001
1525 N. Clinton Ave.	\$ 6,000.00	

- b. Delinquent water charge for a condominium building was put on a single unit. The owner paid the taxes and a credit should be issued.

S.B.L.#	Class	Tax Year
Address	Amount Cancelled	
122.470-0001-003.	NH	2001
000/0001		
1400 East Ave.	\$ 1,025.28	

- c. Property, a parking lot, is owned by tax exempt organization and supports the use of an adjacent church, also owned by the tax-exempt organization. All general city and school taxes should be canceled for fiscal year 2001.

S.B.L.#	Class	Tax Year
Address	Amount Cancelled	
106.550-0001-001.1	NH	2001
153 St. Bridget's Drive	\$ 1,399.01	

- d. Tax exempt organization owns and uses property entirely for tax exempt purposes, and should be totally exempt from general taxation. Balance of any outstanding tax levied after 2/1/2000 should be canceled.

S.B.L.#	Class	Tax Year
Address	Amount Cancelled	
121.470-0001-038	NH	2001
108-130 Mt. Hope Ave.	\$ 3,100.00	
Total	\$11,524.29	

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-190
Re: 2001-02 Budgets - Cultural
Center Commission

Transmitted herewith for your approval is legislation relating to the 2001-02 operating and capital budgets of the Cultural Center Commission. This legislation will:

1. Approve the budgets proposed by the Commission for the period from July 1, 2001 through

June 30, 2002.

2. Authorize the Commission to approve during this period the transfer of capital budget appropriations not exceeding \$10,000.

The proposed budgets were approved by the Commission on April 10. They have been reviewed by the Budget Bureau of the City and the Office of Management and Budget of Monroe County.

Approval of the budgets by the City Council (and County Legislature) is required by Chapter 613 of the Laws of 1979 of the State of New York. Delegation to the Commission of the authority to subsequently expend funds from the budgets was approved by the Council on September 9, 1980 and the Legislature on September 30, 1980.

The total amount of funds available to the Commission for use during 2001-02 is \$814,298.

Revenues	
Mortgage Income	\$ 28,334
Net Property Maintenance Fund	64,396
Unused Balances	
2000-01 Operating Budget	7,940
2000-01 Capital Budget	713,628
Total	\$814,298

The Commission has proposed that \$99,320 of this amount be appropriated for the 2001-02 operating budget and \$714,978 for the capital budget.

The proposed operating budget is \$351 more than the 2000-01 budget.

	2001-02	2000-01	Variance
Salaries	\$75,769	\$76,831	\$(1,062)
Employee Benefits	14,142	12,688	1,454
Personnel Services	89,911	89,519	392
Supplies and Equipment	250	250	0
Contractual Expense	8,659	8,700	(41)
Contingency	500	500	0
Total	\$99,320	\$98,969	\$ 351

The proposed capital budget indicates the general purpose for which the available funds are intended to be used. It does not represent actual commitments to specific projects. Any funds not utilized during 2001-02 will be reappropriated for the 2002-03 budget.

General Purpose	Amount
Streets/Open Space Maintenance	\$287,737
Development	395,906
Executive Design	25,035
Annual Audit	6,300
Total	\$714,978

The authorization for the Commission to approve minor capital transfers is designed to facilitate operations. Similar authorization was approved by the Council on June 15, 2000 for the 2000-01 budget. The Commission has a comparable ability to approve the transfer of operating appropriations pursuant to a Council authorization of September 9, 1981.

The budgets will be considered by the Monroe County Legislature on June 12.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-73

Ordinance No. 2001-190
(Int. No. 202)

Approving The 2001-02 Operating And Capital Budgets Of The Cultural Center Commission

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

Section 1. The Council hereby approves the 2001-02 Operating and Capital Budgets of the Cultural Center Commission as adopted in Cultural Center Commission Resolution No. 4 of 2001. The Council specifically authorizes the Cultural Center Commission to transfer funds within the Cultural Center Commission Capital Account in an amount not to exceed \$10,000 during the fiscal year. The Commissioner of Economic Development of the City of Rochester is further authorized to transfer unencumbered funds in the Operating Budget from one account to another in accordance with the financial and budgetary practices of the City of Rochester.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-191
Re: Business Programs

Transmitted herewith for your approval is legislation relating to various business programs. This legislation will:

1. Appropriate a total of \$1,962,600 for the programs from the Economic Stability allocation of the 2001-02 Community Development Block Grant; and
2. Authorize any agreements required to implement the programs;

All of the appropriations represent the continuation of existing programs.

Industrial Loan Fund (\$692,000 Appropriation)

The Industrial Loan Fund provides loans to industrial companies for working capital or the acquisition of real estate, machinery and equipment. To date, \$4,486,100 has been appropriated for the program.

Loans totaling \$2,948,500 have been provided to 19 companies, resulting in the creation or retention of 1,369 jobs. The balance of the fund is \$1,537,600.

Section 108 Loan Reserve (\$335,600)

Under the Section 108 loan program, loans are provided to industrial and commercial businesses for facility expansion or renovation, equipment acquisition and working capital. For any loan, the funds are provided by the federal government through the City.

As a condition of any loan, the City is contingently liable for repayment of the loan in the event of de-

fault by a business. A loan reserve account has been established for this purpose.

To date, loans totaling approximately \$42.0 million have been provided to 70 businesses. Disbursements from the reserve account have totaled \$1,850,000 for loan defaults by 15 businesses.

High Technology of Rochester

HTR is a non-profit organization designed to develop and implement a coordinated strategy for the creation and/or expansion of high technology industries in the Rochester area. Besides the CDBG appropriation from the City, the organization is financed by the Greater Rochester Chamber of Commerce, Monroe County, area colleges and universities and the major local utilities, among others.

The annual budget for the organization is about \$370,000. The proposed City appropriation is the same as the current amount.

Commercial Loan Program

The commercial loan program provides financial assistance to commercial businesses for projects that are expected to stimulate private investment and result in the retention or creation of jobs. The loans may range from \$10,000 to \$250,000.

To date, loans totaling \$1,746,982 have been provided to 14 companies, resulting in the creation or retention of 346 jobs. The balance of the loan fund is \$142,571.

Minority Enterprise Business Development Corporation (\$125,000)

MESBIC promotes the development of small businesses owned by minorities and women through the provision of loans and equity investments and technical assistance in such areas as management, marketing, accounting and purchasing. The corporation is operated by the Ibero American Investors Corporation.

Besides the CDBG appropriation from the City, MESBIC is financed by Monroe County, the U.S. Small Business Administration and private sources. Since its inception in 1979, MESBIC has provided loans totaling \$23.0 million to 329 businesses, resulting in the creation or retention of 3,580 jobs.

Exterior and Leasehold Improvement Programs (\$20,000)

The Exterior Improvement Program is designed to enhance the appearance of industrial and commercial buildings in specified areas by providing matching grants of up to \$25,000 to finance the costs of exterior improvements.

A City Development Fund appropriation of \$418,000 for the grants was included in the 2001-02 Consolidated Community Development Plan that was approved by the City Council on May 15. The proposed appropriation will finance the costs of the continued provision of architectural services for the programs.

Agreements with three organizations for such services were originally authorized by the City Council on July 14, 1998. Amendatory agreements were authorized by the Council on June 24, 1999 and November 2, 2000.

Following is a summary of activity under these agreements during 2000-01:

<u>Organization</u>	<u>Projects</u>	<u>Payments</u>
Mossein Associates	9	\$22,688
Pardi Architects	9	27,739
Pospula Associates	13	30,368

Under the proposed additional amendatory agreements, an additional \$10,000 will be allocated for Pardi and Pospula. The total maximum cost of each agreement will thereby increase to \$110,700.

Entertainment District Support Program (\$80,000)

The Entertainment District Support Program provides organizational, promotional and advertising support for entertainment districts. To date, \$56,156 has been expended for activities relating to the High Falls, East End, Upper East End and St. Paul Quarter areas.

It is expected that Business Improvement Districts will be established in the near future for these areas. Special assessments will be apportioned among the properties within these areas to finance the costs of promotional and advertising activities.

Business Association Support Program (\$99,700)

The Business Association Support Program will provide funds to business associations for organizational, advertising, promotional and clean-up activities. It is projected that assistance will be provided to 14 organizations.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-74.

Ordinance No. 2001-191
(Int. No. 203)

Approving Business Programs

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

Section 1. There is hereby appropriated from the Economic Stability Allocation of the 2001-02 Community Development Program the sum of \$1,962,600, or so much thereof as may be necessary, to fund the following programs in the following amounts:

Industrial Loan Fund	\$692,000
108 Reserve	335,600
High Technology of Rochester	15,000
Commercial Loan Fund	650,000
Minority Enterprise Business Development Corporation	125,000
Targeted Commercial Exterior Improvement Program	20,000
Entertainment District Support Program	80,000
Business Association Support Program	45,000

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the programs authorized herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-192
Re: Agreement - Clark Patterson Associates,
East End Parking Analysis

Transmitted herewith for your approval is legislation authorizing an agreement with Clark Patterson Associates, 186 N. Water Street, for an analysis of current and projected parking supply and demand in the east side of the center city. The maximum cost of the agreement will be \$20,000, which will be financed from the 2000-01 budget of the Economic Development Department (Parking Fund).

Recent development on the east side of the center city, such as that within the St. Paul Quarter and East End entertainment districts, has resulted in parking deficiencies in some location at certain times. To address this problem, an analysis of parking capacity has been recommended to permit development of a long-term remedial plan.

For this purpose, proposals were solicited from three organizations. Clark Patterson is recommended because of the qualifications of the personnel to be assigned to the project and its experience.

Under the proposed agreement, Clark Patterson will:

1. Develop an inventory of current parking capacity on the east side, including that within public and private parking garages and lots and on the street, by type.
 - a. Short-term
 - b. Long-term
 - c. Monthly
2. Compile parking utilization data for Friday and Saturday evenings for:
 - a. St. Paul Quarter
 - b. East End
 - c. Upper East End
3. Project parking supply and demand for the next five years

The analysis is expected to be completed in four months.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-75

Ordinance No. 2001-192
(Int. No. 204)

Establishing \$20,000 As Maximum Compensation For A Professional Services Agreement For An East End Parking Study

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Clark Patterson

Associates for an East End Parking Study. Said amount shall be funded from the 2000-01 Budget of the Economic Development Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-193
Re: Agreement - Allright New York
Parking, 111 Franklin Street

Transmitted herewith for your approval is legislation authorizing an agreement with Allright New York Parking, 36 W. Main Street, for the continued operation and maintenance of the parking lot at 111 Franklin Street.

The lot, which contains 60 spaces, is currently operated by Allright under an agreement authorized by the City Council on March 19, 1996. The agreement expires on June 30.

In anticipation of such expiration, proposals for operation and maintenance of the lot were solicited from 24 organizations. Two proposals were received.

A n n u a l	
Fee	to City
Organization	
Present	\$32,412
Proposed	
Allright	18,420
Pathway Parking of New York, Inc.	16,620

The reduction in the annual fee is attributable to the loss of patrons because of the opening of St. Joseph's parking garage.

Under the proposed agreement, Allright will be responsible for maintenance of the lot, including cleaning, care of perimeter landscaped areas, and snow removal on both the lot and adjacent sidewalks; payment of all utility costs and sewer charges; and provision of adequate insurance. The agreement will have an initial term of three years with provision for renewal for an additional one-year period. The City will be entitled to terminate the agreement with 60 days notice if the lot is required for economic development purposes.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-193
(Int. No. 205)

Authorizing An Agreement With Allright New York Parking, Inc. For The Operation Of The Municipal Parking Lot At 111 Franklin Street

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 Allright New York Parking, Inc. for the continued operation of the Municipal Parking Lot located at 111 Franklin Street for a term of three years, with an option for an additional one-year term. The City may terminate the agreement on sixty days notice if the lot is needed for economic

development purposes. The agreement shall obligate the operator to pay all expenses associated with the parking lot, including any utility costs, pure waters capital charges, water consumption charges and the cost of insurance and performance bonds. The operator shall also be required to maintain the parking lot and perimeter landscaped areas, as well as keep adjacent sidewalks free of ice and snow.

Section 2. The agreement shall obligate Allright New York Parking, Inc. to pay to the City the sum of \$18,420. annually for said agreement, payable in equal monthly amounts.

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. 2001-194
Re: Agreement - HRH Risk Management,
Workers' Compensation Program

Transmitted herewith for your approval is legislation authorizing an agreement with HRH Risk Management, (formerly S. H. GOW & Company, Inc.) of Buffalo, for continued administration of the City's workers' compensation program. The maximum annual cost of the agreement will be \$65,000, which will be financed from the 2001-02 and future budgets for Undistributed Expense.

The workers' compensation program involves the investigation of all compensation claims, processing of required payments, maintenance of records and preparation of management reports. It also involves the review of all applicable state legislation and regulations and the periodic examination of departmental operations for possible improvements in safety procedures.

Historically, the City has contracted with private organizations for administration of the program. The current agreement for such administration, with HRH, was authorized by the City Council on April 14, 1998.

Activity reports for the workers' compensation program are submitted to the Council on a quarterly basis. As may be seen from these reports, during the last fiscal year 226 claims totaling \$243,042 were processed.

The agreement with HRH expires on June 30. To provide for administration of the program after that date, proposals were solicited by public advertisement.

Five proposals were received. HRH is recommended based upon comparative costs and its past performance.

Under the proposed agreement, HRH will continue to provide the following services:

Claims Administration

1. Review and investigation, if necessary, of all claims of personal injury, illness or disease incurred by an employee during his or her

- performance of duty;
2. Determination of the validity of such claims and the calculation and payment of any necessary compensation;
 3. Defense and/or negotiation and settlement of all contested claims;
 4. Maintenance of all relevant records and preparation of periodic performance reports;

Medical Control

5. Review of treatment programs prescribed by the physicians of employees, as appropriate;
6. For employees who lose duty time because of injury...
 - a. Establishment of a schedule for return to duty, based upon the treatment plan.
 - b. Determination of the appropriateness of alternative ("light duty") assignments.

Counseling/Program Development

7. Review and interpretation of any revisions in applicable laws, rules and regulations;
8. Development or revision of related policies and procedures, in conjunction with the City;
9. Conduct of related training seminars for appropriate City personnel;
10. Provision of appropriate information to claimants;
11. Periodic evaluation of program operations and the identification of problems and recommended corrective actions.
12. Provide access to its database to enable the City to track and develop training and accident injury analysis, graphs, and reports.

The proposed agreement will have an initial term of three years with provision for renewal for two one-year periods. The cost of the proposed agreement is \$6,000 more than the cost of the current agreement.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-194
(Int. No. 207)

Establishing \$195,000 As Maximum Compensation For A Professional Services Agreement With HRH Risk Management For The Continued Administration Of The City's Workers' Compensation Program

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

Section 1. The sum of \$195,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and HRH Risk Management for the continued administration of the City's Workers' Compensation Program for a term of three years. Said amount shall be funded equally

from the 2001-02, 2002-03 and 2003-04 Budgets for Undistributed Expense, contingent upon approval of said budgets. The agreement may contain two one-year renewal options, contingent upon funds being contained in the annual budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-195
Re: Agreement - Allright New York
Parking, High Falls Garage

Transmitted herewith for your approval is legislation authorizing an agreement with Allright New York Parking, Inc., 36 W. Main Street, for continued operation of the High Falls parking garage.

The garage, which contains 764 spaces, is currently operated by Allright under an agreement that was originally authorized by the Council on May 13, 1997. The term of this agreement has been extended twice, on May 16 and November 14, when no responses to a request for proposals were received from other organizations.

In May, proposals were again solicited, from 15 organizations. Two proposals were received, one of which, from Ralph Parking Company, Inc., did not comply with the specifications.

Under the proposed agreement, Allright will annually remit to the City \$6,000 plus 65% of all revenues over \$450,000. Based on revenues received after January 1, 2001, when fees for use of the garage were increased, total annual revenues of approximately \$700,000 and total remittances of \$168,500 are projected.

Even with the recent fee increase, a deficit is projected to be incurred for operation of the garage.

	2000-01	2001-02
Estimated Revenue	\$ 179,400	\$ 168,500
Operating Expense	167,600	0
Subtotal	11,800	168,500
Debt Service	682,100	666,360
Deficit	\$(670,300)	\$(497,860)

Allright will provide all personnel required for operation of the garage, including cashiers, security guards and maintenance staff. It will also be responsible for all costs associated with utilities, special assessments, materials and supplies, contractual services and insurance.

The agreement will have an initial term of two years with provision for renewal for two additional one-year periods.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-195
(Int. No. 210)

Authorizing An Agreement For Operation Of High Falls Garage

BE IT ORDAINED, by the Council of the City of

Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with Allright New York Parking, Inc. for the continued operation of the High Falls Garage. Allright shall provide all personnel required for the operation of the garage, including cashiers, security guards and maintenance staff. Allright shall also be responsible for all costs associated with utilities, special assessments, materials and supplies, contractual services and insurance. The agreement may have an initial term of three years with provision for renewal for two additional one-year periods.

Section 2. The agreement shall obligate Allright to pay to the City \$6,000 annually and 65% of all revenue over \$450,000.

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. 2001-196
Re: Agreement - Deloitte & Touche,
Transportation Project Audits

Transmitted herewith for your approval is legislation authorizing an agreement with Deloitte & Touche, 1 Chase Square, for audit of certain transportation improvement projects that received state or federal financial assistance. The maximum cost of the agreement will be \$27,000, which will be financed by the 1998-99 Cash Capital allocation.

As you are aware, the City routinely receives state or federal financial assistance for various transportation projects. The funds are typically provided through the NYS Department of Transportation.

Recently, DOT reviewed the City's financial records for certain projects. This review indicated that, by error, certain projects had not been included in the "single audit" performed in conjunction with the City's annual independent audit.

Accordingly, DOT requested that the City provide certification from a Certified Public Accountant that any consultant agreements financed by the state and federal funds, such as those with engineers, complied with the terms of the agreements under which the funds were provided. Specifically, the audit will certify that the overhead rates charged by consultants, and the administrative fee charged by the City, were reasonable in comparison with the rates approved by DOT.

Proposals for such an audit were solicited through public advertisement. Five proposals were received.

Deloitte & Touche is recommended to perform the audit because of the qualifications of the personnel to be assigned to it and its ability to perform the audit within the time period specified by the City. Under the proposed agreement, the following projects will be audited.

Broad Street Subway Tunnel

Buffalo Road/West Avenue
Court Street Bridge
Dewey Avenue Bridge
Ford Street Bridge
N. Goodman Street (Clifford Avenue to Norton Street)
Lake Avenue (Burley Road to Lake Ontario State Parkway)
Plymouth Avenue (I-490 to Inner Loop)
St. Paul Street Inner Loop Ramp
Sidewalk Accessibility - Arterial Streets

The audit will begin in the summer and be completed in the fall. The City will be eligible for reimbursement of the cost of the audit in accordance with the aid formula for each of the projects.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilman Mains moved to amend Introductory No. 214.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Ordinance No. 2001-196
(Int. No. 214, As Amended)

Establishing Maximum Compensation For A Professional Services Agreement With Deloitte & Touche, LLP For Audit Services For Street Projects And Amending Ordinance No. 2001-70 Relating To A Claim Voucher System

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

Section 1. The sum of \$27,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Deloitte & Touche, LLP for audit services for City-administered state and federal aid street improvement projects. Said amount shall be funded from the 1998-99 Cash Capital Allocation.

Section 2. Ordinance No. 2001-70, relating to a Claim Voucher System, is hereby amended by changing the source of funding from the 1999-2000 Cash Capital Allocation to the 1997-98 Cash Capital Allocation.

Section 3. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-197
Re: Center City Signage Project

Transmitted herewith for your approval is legislation relating to the Center City Signage Project. This legislation will:

1. Authorize an agreement with Corbin, of Traverse City, Michigan, for completion of conceptual

design of the signage, at a maximum cost of \$35,000, which will be financed from the 2000-01 budget of the Economic Development Department.

2. Authorize an agreement with the Genesee Transportation Council for receipt of a grant of \$20,000 to partially finance this cost; and
3. Amend the 2000-01 budget of EDD to reflect receipt of this grant.

On June 20, 2000, the City Council amended the proposed 2000-01 budget to include \$15,000 for design of a new signage system for the Center City. The present signage system was installed in 1983 and does not reflect the changes that have occurred in the area since that time.

In accordance with the amendment, a survey of Center City residents and visitors was conducted in January. A summary of the survey results is attached.

In April, proposals for conceptual design of the signage were solicited by direct mailing and public advertisement. Ten proposals were received.

These proposals were reviewed by a committee consisting of representatives from EDD, Department of Environmental Services, Bureau of Communications, Monroe County Traffic Engineering Division and NBN Sector 6. Corbin is recommended because of its experience and commitment to public participation.

Corbin has been involved with the design of signage systems for Dayton, Ohio; Grand Rapids, Michigan; Indianapolis, Indiana; Kalamazoo, Michigan; Kansas City, Missouri; Madison, Wisconsin; Muncie, Indiana; Tucson, Arizona; and Vail, Colorado, among others. It will be assisted in the project by Carl Walker, Inc., of Phoenix, a parking specialist, and Clark Patterson Associates, of Rochester.

Five other local firms submitted proposals, all of which had comparable costs. However, the recommendation to select Corbin was unanimous.

Under the proposed agreement, Corbin will:

1. Review existing information relating to center city signage and visit five cities in which "way-faring" programs have recently been installed;
2. Inventory and analyze existing signage;
3. Analyze the following aspects of the Center City:
 - a. Geography, environment, and architecture
 - b. History and culture
 - c. Points of entry and circulation
 - d. Street widths and alignment
 - e. Target destinations
 - f. Major proposed projects
4. Develop the "information architecture" required for the program, including...
 - a. The information to be communicated,
 - b. An information hierarchy, and
 - c. Suggested terminology.
5. Prepare four design concepts;
6. Present the concepts at a public charette;

7. Based upon public comments, recommend a concept design and develop an implementation plan.

The project is expected to begin in July and be completed in January, 2002.

The preliminary estimated cost of final design and installation of the signage is \$625,000, which is expected to be financed as follows:

City Cash Capital	\$125,000
Federal Surface Transportation Program	500,000
Total	\$625,000

An application for the federal funds has been submitted. It is expected that, if the application is approved, the funds would be available in 2002-03.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-197
(Int. No. 215)

**Authorizing An Application And Agreements
For A Center City Signage Project And Amending
The 2000-01 Budget**

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

Section 1. The sum of \$35,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Corbin for concept planning for a Center City Signage Project. Said amount shall be funded from the 2000-01 Budget of the Economic Development Department.

Section 2. The Mayor is hereby authorized to submit an application to and enter into an agreement with the Genesee Transportation Council for funding for the Center City Signage Project.

Section 3. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Economic Development Department by the sum of \$20,000, which amount is hereby appropriated from funds to be received under the agreement authorized herein to fund the Center City Signage Project.

Section 4. The application and agreements shall contain such additional 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. 2001-198
Re: Budget Amendment - La Avenida
Research - \$5,000

Transmitted herewith for your approval is an amendment to the Proposed 2001-2002 Budget transferring \$5,000 from the Contingency Account to the Economic Development Department to fund additional research on models for the La Avenida Project on

North Clinton Avenue.

As you know, this project envisions the creation of a vibrant commercial area with a Latino flavor that can become a regional attraction. During the past year, representatives of the City visited Hartford, CT to view a similar successful project in that City. The lessons learned from Hartford were incorporated in the planning for La Avenida to date.

Given the substantial increase in the Latino population across the country, it has become clear that there are many additional such commercial ventures that have valuable lessons to teach us about how (and how not to) proceed on such an important venture.

The Economic Vitality Campaign of *Rochester 2010*:

The Renaissance Plan emphasizes the importance of strong, economically viable and diverse neighborhood commercial areas. If La Avenida can indeed become a regional draw for shoppers seeking a Latino market place, it will represent an important addition to the economic health and the quality of life in the area. This modest sum, used to gather important data, can yield substantial benefits for the entire community.

Respectfully submitted,
Gladys Santiago
Vice President

Lois J. Giess
President

Ordinance No. 2001-198
(Int. No. 217C)

Amending The 2001-02 Budget Of The City of Rochester In Regard To Research For The La Avenida Project - \$5,000

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

Section 1. The Proposed 2001-02 Budget of the City of Rochester is hereby amended by transferring \$5,000 from the Contingency Account to the Economic Development Department to provide funds for additional research on the La Avenida Project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-199
Re: Budget Amendment - Champion
Streets Project - \$50,000

Transmitted herewith for your approval is an amendment to the Proposed 2001-02 budget transferring \$50,000 from the Undistributed Account to the Administration (NET) to be used to create a Champion Streets demonstration project. The concept is a variant on the Challenged Streets project that NET already operates successfully.

In his State of the City speech, Mayor Johnson correctly pointed out the existence of a "crescent" from the northeast to the southwest. In the "crescent," the problems of poverty, vacant structures and deterioration are significantly higher than throughout the remainder of the City and are associated with complex social and human needs. During the Budget review process, many initiatives were highlighted in an attempt to address the problems of the "crescent."

The Champion Streets project is not another such attempt. Instead of working within the "crescent," it attempts to restrict its spread. It appears that there are numerous streets on the edge of the "crescent" that are basically stable, but which suffer from declining real estate values and may erode to allow the expansion of the "crescent." The strategic application of a limited amount of City funds could help stabilize such a street and improve both the perception and the reality of life on that street.

The project could have two separate components, one for the public areas and one for the private areas. In the public areas, rehabilitation of the tree lawn, spot curb replacement, tree trimming and planting, and

improved street lighting could be part of the mix. The funds appropriated in this legislation can be used for these purposes.

In the private areas, repairs to the obvious early indicators of deterioration, such as porch steps and railings, driveway aprons, motion-detector or dusk-to-dawn lighting, and other minor but important repairs could be carried out. These and similar repairs cannot be done with general City revenues and would require either CDBG expenditures or some other source of funds that are not constrained by the State prohibition on gifts to private persons.

Additional work by NET staff should include outreach to block clubs or community associations to generate neighborhood support for and assistance with the project. In *Rochester 2010: The Renaissance Plan*, we have articulated a vision of and commitment to Healthy Urban Neighborhoods. Current socio-economic problems in and near the "crescent" threaten our ability to deliver on that commitment. The Champion Streets demonstration project is a worthwhile effort to stop the expansion of urban blight and begin the process of shrinking the "crescent".

The legislation requests that the Administration bring a series of policy options to the Council within thirty days on how the Champion Streets project can be carried out this season. If the project is a success in the coming year, it may be institutionalized in future budgets.

Respectfully submitted,
Wade S. Norwood
Councilmember at Large

Nancy K. Griswold
Councilmember at Large

Ordinance No. 2001-199
(Int. No. 217D)

Amending The 2001-02 Budget Of The City Of Rochester In Regard To The Champion Streets Demonstration Project - \$50,000

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

Section 1. The Proposed 2001-02 Budget of the City Of Rochester is hereby amended by transferring \$50,000 from the Undistributed account to the Administration (NET) for purposes of creating a Champion Streets Demonstration Project.

Section 2. The Mayor is requested to report to City Council policy options for the creation of said project within thirty days.

Section 2. This ordinance shall take effect immedi-

ately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-200
Re: Budget Amendment - Genesee Hospital
Closing Impact Analysis - \$20,000

Transmitted herewith for your approval is an amendment to the Proposed 2001-02 Budget transferring \$20,000 from the Undistributed Account to the Budget Bureau to support a broadly based task force that will monitor the impacts on the community that result from the closing of Genesee Hospital and identify emerging problems.

The Finger Lakes Health Systems Agency (FLHSA) and the County Health Department have convened a Genesee Hospital Community Transition Task Force that will include the major parties at interest within the larger health and hospital community, including State and County agencies, the City, the Medical Society, insurers, and representatives of the three hospital systems. During the coming year they will track changes in service capacity, service utilization, service location, the availability of health care personnel, emergency services, and the EMS system.

Assessments will be prepared that will analyze the consequences of the changes and ancillary community problems that may result from the closing. Reports will be provided to the community at regular intervals. The County has contributed \$25,000 toward the Task Force; the various other members will contribute both direct funding and in-kind services.

The Health, Safety, and Responsibility Campaign of *Rochester 2010: The Renaissance Plan* recognizes the crucial importance of a health care system that is efficient, accessible, and meets the diverse needs of all our citizens. The proposed amendment will assist in meeting that goal.

Respectfully submitted,
Lois J. Giess Gladys Santiago
President Vice President

Ordinance No. 2001-200
(Int. No. 217E)

Amending The 2001-02 Budget Of The City of Rochester In Regard To The Impact Of The Closing Of Genesee Hospital - \$20,000

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

Section 1. The Proposed 2001-02 Budget of the City of Rochester is hereby amended by transferring \$20,000 from the Undistributed Account to the Budget Bureau to provide funding to support the Genesee Hospital Community Transition Task Force to address impacts of the closing of Genesee Hospital.

Section 2. The sum of \$20,000 is hereby established as maximum compensation for a professional services agreement with the Finger Lakes Health Systems Agency to support the work of the Task Force.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-201
Re: Budget Amendment - Election Inspector
Compensation - \$7,500

Transmitted herewith for your approval is an amendment to the Proposed 2001-02 Budget transferring \$7,500 from the Contingency Account to the City Council/City Clerk to raise the hourly salary for election inspectors from \$6.25 per hour to \$6.50 per hour. The last salary adjustment took place in June, 1999 when the hourly rate was increased from \$6.00 to \$6.25.

Recruitment and retention of qualified election inspectors is an ongoing problem; adequate compensation is a must if a pool of experienced inspectors is to be maintained. The proposed hourly rate brings City election inspectors more in line with their counterparts in the towns. It is also compatible with the increases negotiated with AFSCME.

Respectfully submitted,
Gladys Santiago Tony M. Thompson
Vice President Councilmember, South District

Ordinance No. 2001-201
(Int. No. 217F)

Amending The City Code And The Proposed 2001-02 Budget In Regard To Compensation For Election Inspectors - \$7,500

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

Section 1. Section 14-20, Compensation of Election Inspectors, of the Code of the City of Rochester is hereby amended as follows:

The compensation of Inspectors of Election of the City of Rochester is hereby fixed as follows: for primary election, general election and registration days: the sum of six dollars and fifty cents (\$6.50) per hour worked.

Section 2. The 2001-02 Proposed Budget of the City of Rochester is hereby amended by transferring the sum of \$7,500 from the Contingency Account to the City Council/Clerk to fund this compensation increase for Election Inspectors.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-202
Re: Budget Amendment - Matching Grant for
Docks - \$15,000

Transmitted herewith for your approval is an amendment to the Proposed 2001- 02 Budget transferring \$15,000 from the Contingency Account to Cash Capital to create a matching grant for the building of permanent docks at the Genesee River's South Wedge Landing. The estimated total cost of the dock facilities is \$30,000. The South Wedge Planning Committee and the organizers of the Rochester River Challenge have committed to raising the remaining funds.

The Genesee River is recognized in *Rochester 2010: The Renaissance Plan* as a unique resource, central to the life of the Rochester community and its economic growth and vitality. *The Renaissance Plan* commits the City to develop our water resources into a major tourism destination as well as a sporting venue, transportation system, and recreational asset that enhances the quality of life on the borders of the Center City.

The proposed legislation will support the efforts of the South Wedge community to increase the recreational use of the river and the Erie Canal, will enable boaters to dock downtown on both sides of the

river, will encourage development along Mt. Hope Avenue, and will provide permanent docking facilities for the highly successful Rochester River Challenge.

Along with being a significant water sports event, the Rochester River Challenge, now in its third year, has become a major venue for persons with disabilities. Because of the nature of the events, many physically handicapped people are able to compete with other athletes on an equal basis.

Respectfully submitted,
Tony M. Thompson Wade S. Norwood
Councilmember Councilmember at Large
South District

Ordinance No. 2001-202
(Int. No. 217G)

Amending The 2001- 02 Budget Of The City Of Rochester In Regard To A Matching Grant For Docking Facilities - \$15,000

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

Section 1. The Proposed 2001- 02 Budget of the City Of Rochester is hereby amended by transferring \$15,000 from the Contingency Account to Cash Capital for a matching grant for docking facilities at the South Wedge Landing of the Genesee River.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-203
Re: Budget Amendment - Transportation & Job Development - \$5,000

Transmitted herewith for your approval is an amendment to the Proposed 2001-2002 Budget transferring \$5,000 from the Undistributed Account to the Department of Environmental Services to examine the impact of transportation policy on job development.

At the recent annual meeting of the Rochester Downtown Development Corporation (RDDC), four separate speakers who addressed the issue of job creation mentioned various different aspects of the transportation system that would have an impact on their efforts. At the same time, the Commissioner of Environmental Services has been chairing a diverse committee of staff and citizens to develop an overall transportation policy for the City.

The proposed funding will allow the creation of focus groups with representatives of the business community on multiple aspects of transportation policy. The issues may range from improved mass transit to parking to light rail and high-speed rail. The results of the process will be shared with appropriate representatives of state and local government.

The Economic Vitality Campaign of *Rochester 2010: The Renaissance Plan* is among the highest priorities of this Council, and the inclusion of transportation issues in supporting the ongoing development of the economy is both rational and appropriate.

Respectfully submitted,
Gladys Santiago Nancy K. Griswold
Vice President Councilmember at Large

Ordinance No. 2001-203
(Int. No. 217H)

Amending The 2001-02 Budget Of The City Of Rochester In Regard To Transportation And Job Development - \$5,000

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

Section 1. The Proposed 2001-02 Budget of the City of Rochester is hereby amended by transferring \$5,000 from the Undistributed Account to the Department of Environmental Services to provide funding for outreach to the business community in regard to transportation planning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-204
Re: Budget Amendment - Park Patrol - \$20,000

Transmitted herewith for your approval is an amendment to the Proposed 2001-02 Budget transferring \$20,000 from the Undistributed Account to the Department of Environmental Services to finance the costs of increased park security. This legislation will provide for two additional Park Patrol staff and related equipment and supplies.

Rochester 2010: The Renaissance Plan commits the City to "create an environmentally aware community that practices the values of environmental stewardship and responsibility and communicates those values to future generations." The City has created various rules, regulations, and information items for park users in keeping with this goal.

The Park Patrol or Park Rangers Program was instituted in 1991 to advise park users of applicable rules and regulations and to enforce them as necessary. The personnel also provide information to users about the historical, cultural and environmental features of the park. The program has been well received by the public and additional funding will permit more coverage during the upcoming summer season.

Respectfully submitted,
Robert J. Stevenson Benjamin L. Douglas
Councilmember Councilmember
Northwest District Northeast District

Ordinance No. 2001-204
(Int. No. 217I)

**Amending The Proposed 2001-02 Budget In
Regard To Park Security Personnel - \$20,000**

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

Section 1. The 2001-02 Proposed Budget of the
City of Rochester is hereby amended by transferring

the sum of \$20,000 from the Undistributed Account to
the Department of Environmental Services for the
purpose of funding additional Park Patrol personnel
and related equipment and supplies.

Section 2. This ordinance shall take effect im-
mediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-205
Re: Budget Amendment - Human Rights
Legislation Public Information -
\$30,000

Transmitted herewith for your approval is an amend-
ment to the Proposed 2001-02 Budget transferring
\$30,000 from the Undistributed Account to the
Administration (Bureau of Communications) to fund
a public information campaign about the City's Hu-
man Rights legislation that was adopted by Council
on May 15, 2001.

As you know, many of the speakers at the hearing prior
to the Council Meeting had stressed the importance of
informing the public about the impact of the legisla-
tion and the remedies available to those who believe
they have been victims of discrimination.

It is our responsibility to inform the public about the
new legislation to ensure that citizens understand
their own rights and the rights of others. In addition,
several leaders in the business community have stated
that such protections are a positive recruitment tool
because so few cities demonstrate such acceptance of
and tolerance for diversity.

Finally, *Rochester 2010: The Renaissance Plan* com-
mits the City to offer Quality Services, encourage
Involved Citizens, and promote Economic Vitality.
The active presentation of information about this key
Human Rights legislation will allow us to fulfill those
responsibilities.

Respectfully submitted,
Tim O. Mains Gladys Santiago
Councilmember at Large Vice President

Ordinance No. 2001-205
(Int. No. 217J)

**Amending The 2001-02 Budget Of The City Of
Rochester In Regard To The Human Rights Leg-
islation Public Information Campaign - \$30,000**

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

Section 1. The Proposed 2001-02 Budget of the
City Of Rochester is hereby amended by transferring

\$30,000 from the Undistributed Account to the Ad-
ministration (Bureau of Communications) to fund a
public information campaign about the City's Human
Rights legislation.

Section 2. This ordinance shall take effect im-
mediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-206
Re: Budget Amendment - HUBZones -
\$20,000

Transmitted herewith for your approval is an amend-
ment to the Proposed 2001-02 Budget transferring
\$20,000 from the Contingency Account to the Eco-
nomic Development Department to expand the scope
of the City's services related to the HUBZone.

The HUBZone is a federal program designed to assist
small businesses that are located in low to moderate-
income census tracts and tracts with high unemploy-
ment rates to compete for federal contracts. At least
35% of the employees of an eligible business must
reside in a HUBZone. HUBZone certified firms can
displace the low bidder on a federal contract if its price
is within 10% of the low bidder. Obviously, it is in
the City's interest to encourage businesses within the
HUBZone to seek such federal contracts.

As part of the City's business outreach program, we
have a contract with Rochester Minority Business
Development Center (RMBDC) to assist with the
Targeted Business Assistance program.

The proposed additional funding of \$20,000 will
enable the contract with RMBDC to be expanded to
include disseminating information about the potential
benefits of HUBZones and assisting eligible busi-
nesses to become HUBZone certified.

Rochester 2010: The Renaissance Plan promotes
Economic Vitality and Healthy Urban Neighborhoods.
By providing resources to oversee and encourage uti-
lization of the HUBZone program, the City continues
its commitment to small business and the employment
of City residents.

Respectfully submitted,
Wade S. Norwood Benjamin L. Douglas
Councilmember at Large Councilmember
Northeast District

Ordinance No. 2001-206
(Int. No. 217K)

**Amending The 2001-02 Budget Of The City Of
Rochester In Regard To HUBZones - \$20,000**

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

Section 1. The Proposed 2001-02 Budget of the
City Of Rochester is hereby amended by transfer-
ring \$20,000 from the Contingency Account to the
Economic Development Department to assist and
encourage businesses to participate in the federal
HUBZone program.

Section 2. The amount of \$20,000 is hereby
established as maximum compensation for a profes-
sional service agreement with the Rochester Minority

Business Development Center to provide technical assistance services related to HUBZones.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-207
Re: Budget Amendment - Library Challenge
Grant - \$10,000

Transmitted herewith for your approval is an amendment to the Proposed 2001- 02 Budget transferring \$10,000 from the Contingency Account to the Library as a challenge grant for the restoration of Sunday hours at the Central Library. The awarding of this grant is contingent upon the ability of the Library to raise a sufficient amount from other sources for this purpose.

Last year, the private sector provided funding to make the Central Library available to citizens on Sunday afternoons. The Library was open from 1 PM to 5 PM and proved to be a popular destination. Use on Sundays equaled and in some cases surpassed weekday use, demonstrating both need and interest on the part of citizens. The cost of the Sunday hours is estimated at \$100,000.

Rochester 2010: The Renaissance Plan enjoins the City to "promote, enhance and protect our city's ...educational resources", and "to deliver quality services, programs and information to all our citizens in a timely manner."

The proposed legislation is intended to respond to the educational and service goals of *The Renaissance Plan* and to stimulate a continued private sector partnership with the Library that will support this valuable Sunday service for the community.

In the event that the funds for this important initiative cannot be raised, Council will request a formal meeting with the Director of the Library to discuss alternative ways to provide Sunday hours at the Central Library within the scope of the existing budget.

Respectfully submitted,
Nancy K. Griswold
Councilmember at Large

Lois J. Giess
President

Ordinance No. 2001-207
(Int. No. 217L)

Amending The 2001- 02 Budget Of The City Of Rochester In Regard To A Challenge Grant For The Public Library - \$10,000

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

Section 1. The Proposed 2001- 02 Budget of the City Of Rochester is hereby amended by transferring \$10,000 from the Contingency Account to the Library Account as a challenge grant to restore Sunday hours at the Central Library.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-208
Re: Budget Amendment - DES Spanish
Translation - \$5,000

Transmitted herewith for your approval is an amendment to the Proposed 2001-02 Budget transferring \$5,000 from the Contingency Account to the Department of Environmental Services to fund translation of The Book for All Seasons (the City's schedule of routine and seasonal trash pickups and recycling services activities) into Spanish.

For the past four years, DES has provided a copy of this useful brochure to all City households so that our citizens can be clear about the various scheduling and regulatory issues for the services that DES provides. To date, the brochure has only been printed in English.

The City of Rochester is home to the majority of Hispanic or Latino persons residing in Monroe County. The 2000 U. S. Census reports that this group comprises 12.8% of the City's population, up from 8.7% in 1990. Many of these people are Spanish speaking, recent arrivals with limited English proficiency.

Rochester 2010: The Renaissance Plan underscores the importance of Quality Service, which includes informing the public about the services themselves. In reaching out to the Spanish-speaking members of our community by providing this comprehensive booklet in Spanish, we increase the quality of our service and also strengthen our 2010 goals of Involved Citizens, Environmental Stewardship, and Healthy, Urban Neighborhoods.

Respectfully submitted,
Benjamin L. Douglas
Councilmember
Northeast District

Robert J. Stevenson
Councilmember
Northwest District

Ordinance No. 2001-208
(Int. No. 217M)

Amending The 2001-02 Budget Of The City Of Rochester In Regard To Spanish Translation - \$5,000

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

Section 1. The Proposed 2001-02 Budget of the City Of Rochester is hereby amended by transferring the sum of \$5,000 from the Contingency Account to the Department of Environmental Services to fund the Spanish translation and production of The Book for All Seasons.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-209
Re: Budget Amendment- Monroe Avenue
Matching Grant - \$25,000

Transmitted herewith for your approval is an amendment to the Proposed 2001-2002 Budget transfer-

ring \$25,000 from the Undistributed Account to the Economic Development Department to create a matching grant for the ongoing redevelopment of Monroe Avenue.

As you are well aware, the recent closing of Genesee Hospital was another blow to the economic vitality of Monroe Avenue. The loss of both the employee base and the visitors to the hospital will have a depressing effect on businesses throughout the area. Partly in response to this situation, the neighborhood invited Norman Mintz, an expert on urban retail development, to discuss potential approaches to improving the retail climate on Monroe Avenue. One of the key recommendations that he made was the hiring of a "street manager".

The Monroe Avenue Merchants Association is interested in utilizing this approach to coordinate and package Monroe Avenue as a major retail destination for the region. The proposed matching grant would require the Association to match these funds on a 1:1 basis to enable them to hire a "street manager" to assist in coordinating their efforts and achieving their goals.

The Economic Vitality Campaign of *Rochester 2010: The Renaissance Plan* recognizes that the vitality of our City is inexorably bound to the existence of strong, economically viable and diverse neighborhood commercial areas that help to provide entry-level jobs, high-quality goods and services to our citizens, offer entrepreneurial opportunities and help increase the City's economic development and growth. Monroe Avenue offers an ideal location to test this approach to retail redevelopment.

Respectfully submitted,
Tim O. Mains Brian F. Curran
Councilmember at Large Councilmember at Large

Ordinance No. 2001-209
(Int. No. 217N)

Amending The 2001-02 Budget Of The City Of Rochester In Regard To A Monroe Avenue Matching Grant Initiative - \$25,000

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

Section 1. The Proposed 2001-02 Budget of the City of Rochester is hereby amended by transferring \$25,000 from the Undistributed Account to the Economic Development Department to provide a matching grant for the Monroe Avenue Merchants Association to hire a "street manager".

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-210
Re: Budget Amendment - Overtime for Vacant Building Board-ups - \$29,800

Transmitted herewith for your approval is an amendment to the Proposed 2001- 02 Budget transferring \$29,800 from the Contingency Account to the Department of Environmental Services to be used for overtime expenses for vacant building board-ups.

The purpose of the extra hours is to reduce the time required for board-ups of such buildings. Of this amount, \$21,300 represents actual overtime costs and \$8,500 represents additional materials.

Rochester 2010: The Renaissance Plan enjoins the City to "promote neighborhoods that are safe, clean and attractive," and "that minimize property code violations, incidents of fires and other negative quality of life uses." Neglected vacant buildings often become eyesores, fire hazards and havens for illegal activity. Boarding up these buildings helps forestall both their physical deterioration by vandals and their use by the drug trade.

The proposed legislation is intended to accelerate the pace of response to board-up demand. Currently, the City responds to 2700 requests for board-ups annually; the typical waiting time is nine days. The proposed amendment will enable the waiting time to be reduced to seven days. Emergency board-ups are and will continue to be completed within 24 hours.

Respectfully submitted,
Brian F. Curran Wade S. Norwood
Councilmember Councilmember
at Large at Large

Ordinance No. 2001-210
(Int. No. 217O)

Amending The 2001-02 Budget Of The City Of Rochester In Regard To Overtime For Board-ups Of Vacant Buildings - \$29,800

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

Section 1. The Proposed 2001-02 Budget of the City Of Rochester is hereby amended by transferring \$29,800 from the Contingency Account to the Department of Environmental Services for purposes of funding overtime and material costs for the board-up of vacant buildings.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-211
Re: Budget Amendment - Library Materials
- \$20,000

Transmitted herewith for your approval is an amendment to the Proposed 2001- 02 Budget transferring \$20,000 from the Contingency Account to Cash Capital for the purchase of additional resources and materials for the branches of the Community Library.

Rochester 2010: The Renaissance Plan enjoins the City to "promote, enhance and protect our city's ...educational resources," and "to deliver quality services, programs and information to all our citizens in a timely manner." In the 21st century, the availability of Community Library resources is necessary for the intellectual competence of young people, the employability skills of adult residents and the delivery of technology education to the economically disadvantaged.

Budget constraints have prevented the Library from significantly expanding their collections. At

a time when the Library has adopted the ambitious goal of increasing Library card holders by 25%, the continuing addition of new materials is especially important. The proposed legislation will enhance the resources provided by the Community Libraries, including Spanish language materials, and will further implement the education and service goals of *The Renaissance Plan*.

Respectfully submitted,
Nancy K. Griswold
Councilmember at Large

Tony M. Thompson
Councilmember
South District

Ordinance No. 2001-211
(Int. No. 217P)

Amending The 2001- 02 Budget Of The City Of Rochester In Regard To Materials For The Community Library - \$20,000

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

Section 1. The Proposed 2001- 02 Budget of the City Of Rochester is hereby amended by transferring \$20,000 from the Contingency Account to Cash Capital for additional English and Spanish materials for the Community Libraries.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-212
Re: Budget Amendment - Tree Health Care
- \$30,000

Transmitted herewith for your approval is an amendment to the Proposed 2001-02 Budget transferring \$30,000 from the Contingency Account to the Department of Parks, Recreation, and Human Services to improve the Tree Health Care program. These funds will provide resources to improve the health of construction-damaged trees and to help increase the survivability of trees that are in declining condition. Inevitably, it will aid the beautification and environmental health of the City.

During the past decade, since the Ice Storm of 1991, the City has dramatically improved both the tree planting schedule and the ongoing record keeping and inventory processes that are essential to a successful program. Thousands of new trees have been planted, a rational pruning schedule has been developed, and the data base of the entire tree inventory has become a key tool in managing our urban forest.

However, there are still major stresses that beset our street trees in particular. The impact of construction projects is one such problem, and the arrival of new forms of plant pathogens and exotic insects is another. The City Forester and staff require added resources if they are to be able to keep up with the increasing demand for healthy trees.

Rochester 2010: The Renaissance Plan states that it is the policy of the City to "maintain and enhance... the overall quality of our environmental assets and

resources," noting in particular our urban forest. By enhancing our "City in a forest" agenda, this amendment clearly reflects the emphasis of the Campaign for Environmental Stewardship.

Respectfully submitted,
Lois J. Giess
President

Tim O. Mains
Councilmember at Large

Ordinance No. 2001-212
(Int. No. 217Q)

Amending The 2001-02 Budget Of The City Of Rochester In Regard To Tree Health Care - \$30,000

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

Section 1. The Proposed 2001-02 Budget of the City Of Rochester is hereby amended by transferring \$30,000 from the Contingency Account to the Department of Parks, Recreation, and Human Services to fund the Tree Health Care program.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-213
Re: Budget Amendment - Job Development
Fund - \$300,000

Transmitted herewith for your approval is an amendment to the Proposed 2001-02 Budget transferring the \$300,000 from Cash Capital (South River Corridor Housing Development) to a new Job Development Fund.

The CIP plans an expenditure of \$1,300,000 for the South River Corridor housing project in 2001-02, and further plans an additional \$2,350,000 in each of the following two years, for a total of \$6,000,000. At this time, it is anticipated that the first year's funds will be used to acquire available properties along the east side of Mt. Hope Avenue in the area north of the Ford Street Bridge.

Since there are no firm acquisition costs currently available, and since the issue of job creation is among Council's highest priorities, we believe it will not be a significant impediment to the South River Corridor redevelopment to reallocate a portion of the first-year funding to address a pressing need. This leaves \$1,000,000 to be expended in the coming year.

It must be noted that this action should not be construed as City Council's endorsement of a particular approach to the redevelopment of the South River Corridor. If something is indeed to be done there, property acquisitions may be a necessary part of the project. Council will evaluate individual proposed acquisitions as they are brought forward in legislation at the appropriate time.

The proposed amendment establishes a new Job Development Fund and transfers the \$300,000 there to provide resources for new approaches to job opportunities for City residents. We request that the Administration use the availability of these funds as an incentive to conceive innovative approaches to

new job creation and to report back to the Council by September on recommendations to achieve this important goal.

Respectfully submitted,
Tim O. Mains
Councilmember
at Large

Brian F. Curran
Councilmember
at Large

Ordinance No. 2001-213
(Int. No. 217R)

**Amending The Proposed 2001-02 Budget In
Regard To A Job Development Fund - \$300,000**

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

Section 1. The Proposed 2001-02 Budget of the City of Rochester is hereby amended by transferring \$300,000 from Cash Capital to the Job Development Fund, the creation of which fund is hereby authorized.

Section 2. The Administration is hereby requested to report to City Council by September, 2001 on potential uses of the \$300,000 in the Job Development Fund.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-214
Re: Budget Amendment - BHRM

Transmitted herewith for your approval is an amendment to the Proposed 2001-2002 Budget regarding changes in the Bureau of Human Resource Management (BHRM). As you are aware, last year Council authorized funds for an Efficiency and Effectiveness audit of the bureau to review BHRM's activities and to provide appropriate benchmarks for both activities and staffing. In December 2000, Council authorized an agreement with Cooperative Personnel Services (CPS) to carry out this project.

In anticipation of the final report, several changes were proposed in the 2001-02 Budget to provide additional resources for BHRM. The changes included the creation of six new positions in BHRM and one in Finance (Information Systems), plus the associated benefit costs. In all, expenditures total \$323,000.

Council had some concerns about the magnitude of the proposed changes in the absence of a review of the final report of CPS; that report will be received this week. Similarly, Mayor Johnson indicated that since he and his senior staff also had not fully reviewed the report, the allocation of these specific resources may be premature.

As a result, the proposed amendment will transfer the resources planned to address the results of the study to Contingency until both the Administration and the Council have had the opportunity to review the CPS report. Subsequent to that, the Mayor will resubmit legislation to make the appropriate allocations to ensure that the activities of BHRM can be carried out and reviewed in the most efficient and effective manner possible.

Respectfully submitted,
Lois J. Giess
President

Tim O. Mains, Chair
Jobs, Finance & Governance
Committee

Ordinance No. 2001-214
(Int. No. 217S)

**Amending The 2001-02 Budget of the City of
Rochester In Regard To The Bureau Of Human
Resource Management - \$323,000**

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

Section 1. The Proposed 2001-02 Budget of the City of Rochester is hereby amended by transferring \$228,200 from the Bureau Of Human Resource Management, \$52,700 from Finance, and \$42,100 from Undistributed to the Contingency Account to await review of the Efficiency and Effectiveness Audit.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Resolution No. 2001-7
Re: Resolution of Budgetary Intent - State
Funding

Transmitted herewith for your approval is a resolution of budgetary intent regarding the absence of a New York State budget and the resulting uncertainty of \$4.3 million in projected State revenue in the City budget.

As you know, the State has once again failed to approve a budget on time. The Senate is scheduled to recess tomorrow and there are no plans at present for them to reconvene. Prior to this year, the latest budget ever approved was in early August. Many people in Albany, including the Governor, have speculated that there may not be a budget enacted at all in 2001-02, and that the State may simply pass a series of continuing resolutions through the year. Should this happen, or should the State ultimately pass a budget that provides less than the anticipated amount, the City would be put in a difficult position. The longer the State fails to act, the less time the City will have to devise solutions to the problem.

In the event that no State budget is approved prior to the end of September, this resolution calls upon the Mayor to review all revenue and expense activity in the first quarter of the fiscal year and to prepare a report for City Council within two weeks of the end of the quarter (September 30) with revised projections of both revenues and expenditures for the remaining three quarters.

In the event that the State does approve a budget at an earlier time, but with lower than anticipated revenues to the City, the resolution calls upon the Mayor to provide similar information to the Council within two weeks of the City's receipt of definitive information about our revenues from the State. Upon receipt of either report, the Jobs, Finance & Governance Committee will reconvene to discuss potential solutions to any identified fiscal problems.

Respectfully submitted,
 Lois J. Giess Tim O. Mains, Chair
 President Jobs, Finance & Governance
 Committee

Resolution No. 2001-7
 (Int. No. 217T)

**Resolution of Budgetary Intent - Contingency
 Planning Regarding The New York State Budget**

WHEREAS, the State of New York has not yet adopted a budget for the year 2001-02, and

WHEREAS, the revenue estimates of the City include \$4.3 million in anticipated revenue beyond that proposed in the Governor's budget, and

WHEREAS, it is unclear when or whether the State will enact a budget for 2001-02, and

WHEREAS, it is the responsibility of City Council to ensure the ongoing fiscal integrity of the City.

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

Section 1. In the event that no State Budget is approved prior to September 30, 2001, the Mayor is hereby requested to conduct a detailed review of both revenue and expense items during the first quarter, along with revised projections for the remainder of the year, and to provide a report of said projections to City Council within thirty days of the end of the quarter.

Section 2. In the event that a State Budget is approved prior to September 30, but with substantially lower revenues to the City than projected in the Mayor's Proposed Budget, the Mayor is hereby requested to provide revised revenue and expense projections for the remainder of the year to City Council within two weeks of definitive information about our revenues from the State.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:
 Ladies and Gentlemen:

Ordinance Nos. 2001-215, 2001-216,
 2001-217, 2001-218, Local Improvement
 Ordinance No. 1495, 2001-219 and
 2001-220

Re: 2001-02 Budget

Transmitted herewith for your approval is legislation relating to the 2001-02 Budget. This legislation will:

1. Approve appropriations and establish revenue estimates for the City and City School District,
2. Authorize the tax levies required to finance these appropriations;
3. Authorize the budgets and related assessments for the Local Works program;
4. Confirm the assessments required for the following programs:

- a. Street mall maintenance
- b. Neighborhood parking lot operation
- c. Public Market snow removal and security services
- d. Street lighting and sidewalk districts
- e. Merchants/Winton open space district
- f. Downtown Enhancement District, and
- g. Downtown Guide District
5. Confirm the addition to the tax roll of various assessments, fees and unpaid charges; and
6. Amend the city Code to change various water fees and charges.

The 2001-02 proposed budgets of the City and District were submitted to City Council on May 18. The proposed legislation is based upon these budgets which provide for:

1. Total appropriations of \$865,946,958, allocated for the City and School District as follows:

	Proposed 2001-02	2000-01	Change Amount	%
City	\$349,771,700	\$338,235,400	\$11,536,300	3.41
School	516,175,258	477,500,081	38,675,177	8.10
Total	\$865,946,958	\$815,735,481	\$50,211,477	6.16

Total revenue estimates of \$736,640,369, distributed between the City and the District as follows:

	Proposed 2001-02	2000-01	Change Amount	%
City	\$310,493,500	\$297,827,896	\$12,665,604	4.25
School	426,146,869	387,471,692	38,675,177	9.98
Total	\$736,640,369	\$685,299,588	\$51,340,781	7.49

2. Total tax levies of \$136,832,400 for the City and District as follows:

	Proposed 2001-02	2000-01	Change Amount	%
Tax Revenue	\$129,306,590	\$130,435,893	(\$1,129,303)	(0.87)
Tax Reserve	7,525,811	7,591,507	(65,696)	(0.87)
Tax Levy	\$136,832,401	\$138,027,400	(\$1,194,999)	(0.87)

3. Total appropriations for the Local Works

fund of \$11,877,700 and total assessments of \$11,895,700.

	Proposed 2001-02	2000-01	Change Amount	%
Street Cleaning	\$2,849,217	\$ 2,488,701	\$ 360,516	
14.49				
Sidewalk Repair	881,334	805,686	75,648	
9.39				
Roadway Plowing	7,040,680	5,908,624	1,132,056	
19.16				
Sidewalk Plowing	1,124,469	1,070,189	54,280	
5.07				
Total	\$11,895,700	\$10,273,200	\$1,622,500	
15.79				

4. The budget for the Public Market was approved on April 17. The budgets for neighborhood parking lots, lighting and sidewalk districts, open space district and Downtown Guides and Enhancement Districts were approved by the City Council on May 15. The assessments required for the various programs consist of the following:

	Proposed 2001-02	2000-01	Change Amount	%
Street malls	\$76,091	\$70,103	5,988	8.54
Parking Lots	71,389	70,539	850	1.21
Public Market	26,861	31,738	(4,877)	
(15.37)				
Lighting and Sidewalk Districts	34,752	30,514	4,238	
13.89				
Open Space District	3,220	3,220	0	0
Downtown Guides	327,231	337,707	(10,476)	
(3.10)				
Downtown Enhancement	492,700	484,600	8,100	1.67

5. The proposed additions to the tax roll consist of the following charges:

	Proposed 2001-02	2000-01	Change Amount	%
Delinquent Refuse Charges	\$ 511,571	\$ 606,897	(95,326)	
(15.71)				
Delinquent Water Charges	5,096,051	5,116,986	(20,935)	
(0.41)				
Code Enforcement Charges	30,747	40,688	(9,941)	
(24.43)				
Supplemental and Omitted Taxes	151,503	120,812	30,691	
25.40				
Local Improvement Assessments	117,312	110,722	6,590	5.95
Encroachments	5,525	5,650	(125)	
(2.21)				
Rehabilitation/Demolition Charges				

	153,980	173,466	(19,486)	
(11.23)				
Code Violations	2,018,498	1,553,140	465,358	29.96

6. The proposed wholesale water rate increase of \$0.10 per 1,000 gallons reflects the same increase City residents have seen since 1996. It is expected to result in annual incremental income of about \$13,000.

	Proposed	Current	Change
Wholesale Rate	\$ 1.15	\$ 1.05	\$
0.10			
Hydrant Use Permit	55.00	50.00	5.00
Hydrant Nozzle Fee	0.00	55.00	-55.00
Hydrant Wrench Deposit Fee	0.00	30.00	-30.00
Reduced Pressure Zone Backflow Prevention Device Deposit Fee	0.00	600.00	-600.00
Deposit for Rental of Temporary Hydrant Meter, Fittings, Wrench, and Reduced Pressure Zone Backflow Preventer	1,360.00	0	1,360.00

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-215
(Int. No. 217, As Amended)

Adoption Of The Budget Estimates For Municipal Purposes For The 2001-02 Fiscal Year, And Appropriation Of Sums Set Forth Therein And Approving Commercial Refuse Fees

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

Section 1. The budget estimate for municipal purposes for the fiscal year July 1, 2001 to June 30, 2002, providing for the expenditure of \$349,771,700, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for municipal purposes for the fiscal year 2001-02 are hereby authorized to be expended and the sum of \$349,771,700 is hereby appropriated for the current expenses of the departments and agencies; cash capital; debt service; and for the other purposes therein, in the manner provided by law, as listed below:

City Council and Clerk		
Administration	[\$1,378,100]	\$1,385,600
Community Development	[10,060,500]	9,932,300
		5,589,600
Economic Development	[4,451,100]	4,501,100
Environmental Services	[66,551,700]	66,611,500
Finance	[7,247,700]	7,195,000
Law		1,793,100
Library	[11,569,000]	11,579,000
Parks, Recreation and Human Services	[17,949,000]	17,979,000
Office of Emergency Communication		7,929,900
Police		56,134,900
Fire		35,887,500
Undistributed Expenses		

	[57,011,400]	<u>57,119,300</u>
Contingency	[5,305,000]	<u>5,485,700</u>
Cash Capital	[23,771,000]	<u>23,506,000</u>
Debt Service		37,142,200
Sub-total		\$349,771,700
Tax Reserve		2,286,063
Total		\$352,057,763

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes and the School Tax Relief (STAR) funds, for municipal purposes for the fiscal year 2001-02 is hereby fixed and determined at \$310,493,500 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2001-02 providing for the raising of taxation on real estate for municipal purposes of the sum of \$41,564,263 is hereby adopted.

Section 5. Pursuant to subsection 20-24B(1) of the Municipal Code, the Council hereby approves the fees for collection of commercial refuse and recyclables as proposed by the Mayor for fiscal year 2001-02.

Section 6. This ordinance shall take effect on July 1, 2001.
Bracketed material deleted; underlined material added.

Passed unanimously.

Ordinance No. 2001-216
(Int. No. 218)

Adoption Of The Budget Estimates For School Purposes For The Fiscal Year Commencing July 1, 2001 And Expiring June 30, 2002, And Appropriation Of Sums Set Forth Therein

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

Section 1. The budget estimate for school purposes for the fiscal year July 1, 2001 to June 30, 2002, providing for the expenditure of \$516,175,258, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for school purposes for the fiscal year 2001-02 are hereby authorized to be expended and the sum of \$516,175,258 is hereby appropriated to the Board of Education for the following purposes:

Operations	\$468,129,288
Cash Capital	14,520,790
Debt Service	<u>33,525,180</u>
Subtotal	516,175,258
Tax Reserve	<u>5,239,748</u>
Total	\$521,415,006

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes, for school purposes for the fiscal year 2001-02 is hereby fixed and determined at \$426,146,869 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2001-02 providing for the raising of taxation on real estate for school purposes of the sum of \$95,268,137 is hereby adopted.

Section 5. This ordinance shall take effect on July

1, 2001.

Passed unanimously.

Ordinance No. 2001-217
(Int. No. 219)

Levying Taxes For Municipal Purposes For The Fiscal Year Commencing July 1, 2001 And Expiring June 30, 2002

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

Section 1. The sum of \$41,564,263, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2001 and expiring June 30, 2002 the amount required to meet the budget estimates for municipal purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2001 and expiring June 30, 2002.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2001 and expiring June 30, 2002.

Section 3. This ordinance shall take effect on July 1, 2001.

Passed unanimously.

Ordinance No. 2001-218
(Int. No. 220)

Levying Taxes For School Purposes For The Fiscal Year Commencing July 1, 2001 And Expiring June 30, 2002

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

Section 1. The sum of \$95,268,137, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2001 and expiring June 30, 2002 the amount required to meet the budget estimates for school purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2001 and expiring June 30, 2002.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2001 and expiring June 30, 2002.

Section 3. This ordinance shall take effect on July 1, 2001.

Passed unanimously.

Local Improvement Ordinance No. 1495
(Int. No. 221)

Local Improvement Ordinance - Street Cleaning, Street And Sidewalk Snow Removal, And Hazardous Sidewalk Repair Commencing July 1, 2001 And Expiring June 30, 2002

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

Section 1. The Council finds and declares (1) that it is in the public interest to provide street cleaning,

snow removal services on the streets and sidewalks, and the repair of hazardous sidewalks in the City of Rochester during the fiscal year from July 1, 2001 to June 30, 2002; (2) that the provision of such service benefits the properties abutting on such streets and sidewalks, and (3) that the cost of providing such services should be borne by the benefited properties according to the benefit received by such properties.

Section 2. The Commissioner of Environmental Services shall cause the following improvements and work to be provided on streets, sidewalks and lots in the City of Rochester during the fiscal year July 1, 2001 to June 30, 2002:

- A. The removal of snow from such sidewalks and the repair of such hazardous sidewalks as the Commissioner may direct.
- B. The removal of snow and ice from the roadway of such streets as the Commissioner may direct, including the use of sodium chloride, calcium chloride, and other chemicals or abrasives for the treatment of slippery or icy pavement as deemed necessary by the Commissioner.
- C. The cleaning and/or flushing of such streets as the Commissioner may direct, including hand-cleaning, tank flushing, mechanical sweeping, and the collection and removal of brush, leaves, and debris.

Section 3. Such work shall be done by competitive contract, or by the Department of Environmental Services, as the Commissioner of Environmental Services deems appropriate.

Section 4. The cost of providing such street cleaning and street snow removal services for the 2001-02 fiscal year shall be assessed against all parcels of property that abut a street, reflecting the benefit to be derived by such parcels from such services. The cost of providing such sidewalk repair and snow removal services for the 2001-02 fiscal year shall be assessed against all parcels of property that abut a sidewalk, reflecting the benefit to be derived by such parcels from such services.

Section 5. The amount assessed shall be allocated among all benefited parcels in direct proportion to each parcel's street or sidewalk footage, defined for purposes of this ordinance as the full footage of the parcel along the street or sidewalk upon which it fronts, plus one-third of the footage along any other abutting streets or sidewalks. The Council hereby determines that such street or sidewalk footage represents the relative amount of benefit received by each such parcel.

Section 6. The total cost of such services to be assessed on July 1, 2001 shall be \$11,895,700 consisting of \$2,849,217 for street and lot cleaning, \$881,334 for sidewalk repair, \$7,040,680 for roadway snow removal and \$1,124,469 for sidewalk snow removal services. Such total amount constitutes an estimate of the amount necessary to pay contractors to provide services and to cover the costs of providing services with City crews between July 1, 2001 and June 30, 2002, less any miscellaneous revenues estimated to be collected during the same period, plus a reasonable reserve for uncollected assessments. All assessments collected shall be paid into the Local Works Fund, and all costs incurred shall be paid from such fund. The amounts assessed herein are appropriated for that purpose.

Section 7. The amount assessed on July 1, 2001 shall be billed on the tax bill and shall be due in one installment. Delinquent assessments collected more than 60 days into a fiscal year subsequent to the fiscal year billed shall be credited as revenue in the year collected and applied against costs in that fiscal year.

Section 8. This ordinance shall take effect on July 1, 2001.

Passed unanimously.

Ordinance No. 2001-219
(Int. No. 222)

Confirming The Assessments, Amounts And Charges To Be Inserted In The Annual Tax Rolls For The Fiscal Year Commencing July 1, 2001 And Expiring June 30, 2002

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

Section 1. The following assessments, amounts and charges, and the allocation of said amounts against properties in the City, as set forth in roll or rolls on file in the City Clerk's Office, to be inserted into the annual tax rolls for the fiscal year commencing July 1, 2001 and expiring June 30, 2002, are hereby in all respects confirmed:

Street and Lot Cleaning
\$2,849,217.00
Roadway Snow Removal
7,040,680.00
Sidewalk Snow Removal
1,124,469.00
Hazardous Sidewalk Repair
881,334.00
Delinquent Refuse
511,571.35
Delinquent Water Charges
5,096,050.82
Supplemental Taxes
151,503.18
Street Malls
76,091.00
Parking Lots
71,389.00
Code Enforcements
30,747.00
Code Violations
2,018,498.00
Local Improvements
117,311.57
Downtown Enhancement
492,700.00
Public Market Plowing
4,590.60
Public Market Security
22,270.35
Encroachment Fees
5,525.00
Rehabilitation Charges
153,980.18
Downtown Guides
327,231.00
Lyll Avenue Street Lights - District I
2,096.56
Lyll Avenue Street Lights - District II
2,274.55
Wilson Blvd. Street Lights
532.06
Blossom Road Lights
609.42
Merchants/Winton Open Space

3,219.60
 Monroe Avenue Lights I
 7,158.54
 Monroe Avenue Lights and Sidewalk II
 9,558.16
 Norton Street District
 4,115.16
 Cascade District
 4,501.68
 Lake Avenue Lights
 3,906.08

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-220
 (Int. No. 223)

Amending the Municipal Code With Respect To Wholesale Water Rates And Hydrant Use Permit Fees

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

Section 1. Section 23-37 of the Municipal Code, relating to fees for water, as amended, is hereby further amended by amending subsection F(9) thereof to read in its entirety as follows:

(9) Wholesale rate: \$1.15 per 1,000 gallons.

Section 2. Section 23-37 of the Municipal Code, relating to fees for water, as amended, is hereby further amended by amending subsection E thereof to read in its entirety as follows:

E. Hydrants.

(1) Hydrant use permit, monthly charge: \$55.

(2) Minimum monthly consumption charge: \$75.

(3) Temporary hydrant meter, fittings, wrench, and reduced pressure zone backflow prevention device deposit fee: \$1,360.

(4) Hydrant-moving charge.

(a) Residential: actual cost.
 (b) Commercial: actual cost.

(5) Hydrant use fees.

(a) Initial maintenance agreement processing fee: \$100.

(b) Furnish and install fire hydrant locking device: \$200.

(c) Annual inspection and lubrication:

[1] Up to two hydrants: \$60.
 [2] Each additional hydrant: \$40.

(d) Repairs to hydrants: actual cost, plus 10%.

Section 3. This ordinance shall take effect July 1, 2001.

Passed unanimously.

TO THE COUNCIL:
 Ladies and Gentlemen:

Introductory No. 206
 Re: Agreement - FRA Engineering,
 Genesee Crossroads Parking Garage
 Rehabilitation and Maintenance Plan

Transmitted herewith for your approval is legislation authorizing an agreement with FRA Engineering, 245 Summit Point Drive, for the development of a comprehensive rehabilitation and maintenance plan for the Genesee Crossroads parking garage. The maximum cost of this agreement will be \$30,000, which will be financed from the 2000-01 budget of the Economic Development Department (Parking Fund).

The garage, which was constructed in 1966, contains 611 parking spaces on four levels. It is located beneath Charles Carroll Park and Plaza.

The garage is experiencing deterioration of various structural, mechanical and electrical components. The deterioration has resulted in concrete spalling, delamination, joint leakage and defective systems.

Proposals for development of a comprehensive rehabilitation and maintenance plan for the garage were solicited from two firms. FRA is recommended to provide the required engineering services because of the qualifications of the personnel to be assigned to the project.

Under the proposed agreement, FRA will:

1. Evaluate the condition of the garage and estimate its remaining useful life,
2. Identify any required rehabilitation and estimate the associated costs, and
3. Determine priorities and a schedule for rehabilitation.

The project is expected to begin in July and be completed by November.

Respectfully submitted,
 William A. Johnson, Jr.
 Mayor

Introductory No. 206

ESTABLISHING \$30,000 AS MAXIMUM COMPENSATION FOR A PROFESSIONAL SERVICES AGREEMENT FOR A PLAN FOR THE GENESEE CROSSROADS PARKING GARAGE

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

Section 1. The sum of \$30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and FRA Engineering for a Comprehensive Rehabilitation and Maintenance Plan for the Genesee Crossroads Parking Garage. Said amount shall be funded from the 2000-01 Budget of the Economic Development Department.

Section 2. This ordinance shall take effect immediately.

Held in committee.

TO THE COUNCIL:
Ladies and Gentlemen:

Introductory No. 217A
Re: Budget Amendment - Reallocations For
Job Development

Transmitted herewith for your approval is an amendment to the Proposed 2001-02 Budget that would eliminate or reduce funding for three planned expenditures and transfer funds totaling \$1,450,000 to a new Job Development Fund. I believe that job creation should always be emphasized as one of the City's top priorities because most of our initiatives are ultimately dependent on the economic well-being of our citizens and stopping the decline of our property tax base.

The programs to be reduced or eliminated include the Cash Capital allocation for South River Corridor Housing Development (\$1,300,000); the Efficiency & Effectiveness allocation in the Undistributed Account (\$100,000); and the annual contribution to the Music Fest (reduce from \$100,000 to \$50,000).

In regard to the South River Corridor funding, at the CIP review meeting the Administration indicated that this money was intended to acquire land for future housing development in the Mt. Hope Avenue area, but that specific development plans for financing were not yet in place. It seems to me very unwise to spend a large amount of money buying land (and in doing so, taking it off the tax rolls and preventing any other productive use) without a clear plan for development at the site. It would be irresponsible to go forward acquiring land on this scale without a well-developed plan with realistic funding sources. This involves more than the \$1.3 million budgeted for this year - the CIP projects spending \$6 million over the next three years on undefined projects in this area. Approving land acquisition this year will implicitly commit us to a costly development project that may not meet our goals and may even have some negative impacts.

As to the Efficiency and Effectiveness allocation, no initiatives have been identified as yet, and prior studies have not yet been fully implemented or evaluated. If promising initiatives are developed we could later appropriate funds from the Contingency Account.

Finally, as to the Music Fest, the existing fund balance is adequate for the current year and probably for next year's Music Fest. A reduction of \$50,000 should have no material impact on this project and should begin the process of gradually reducing the City's contribution. Some people regard this event as successful because it attracted a larger number of attendees last year. If so, it should be able to begin paying for itself and reduce the need for taxpayer support. My opinion is that the event has not proven successful by the real standard it should be measured against - has it helped improve the lives of City residents, created jobs, improved neighborhoods or otherwise helped us to address the serious problems we face as a city? It is not the role of the City government to provide entertainment to the public. We have a well-developed entertainment industry that is very capable of doing that. The only justification for continuing subsidies at the prior levels is if we can show tangible positive benefits to the citizens.

As to the creation of the Job Development Fund, I believe that the goal of more and better jobs for our citizens should be among our highest priorities, certainly higher than the items I have proposed to eliminate or reduce. I would propose that the Admin-

istration submit to the Council by August 31, 2001 a report outlining the most effective possible uses of these funds for purposes that would create jobs and attract businesses to the City, including neighborhood commercial businesses. In doing so, we can fulfill the important goals for Economic Vitality that are outlined in *Rochester 2010: The Renaissance Plan*.

Respectfully submitted,
Brian F. Curran
Councilmember at Large

Introductory No. 217A

AMENDING THE PROPOSED 2001-02 BUDGET IN REGARD TO REALLOCATIONS FOR JOB DEVELOPMENT - \$1,450,000

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

Section 1. The Proposed 2001-02 Budget of the City of Rochester is hereby amended by the following transfers: \$1,300,000 from Cash Capital for the South River Corridor program; \$100,000 from Undistributed (Efficiency & Effectiveness allocation); and \$50,000 from Undistributed (Music Fest) to the Job Development Fund, the creation of which fund is hereby authorized.

Section 2. The Administration is hereby requested to report to City Council by August 31, 2001 on potential uses of the \$1,450,000 in the Job Development Fund.

Section 3. This ordinance shall take effect immediately.

Failed in committee.

TO THE COUNCIL:
Ladies and Gentlemen:

Introductory No. 217B
Re: Budget Amendment - EZ Rider -
\$375,200

Transmitted herewith for your approval is an amendment to the Proposed 2001-02 Budget eliminating the EZ Rider shuttle service and transferring the \$375,200 proposed for the service from the Economic Development Department to a new Job Development Fund.

As you know, we have opposed the continuation of City funding for the EZ Rider for several years. The EZ Rider was designed to stimulate business and job development in the Center City area and adjacent commercial and entertainment districts. There is no evidence that it has done so. Ridership data indicate that most of the riders are not tourists but local residents. The City subsidy for this service is therefore simply a subsidy of the fares that people would normally pay for RTS bus service. During the past four years, we have expended over \$1.2 million on a service that has no demonstrated benefits in either job development or retention. Such expenditures are not the best use of our limited resources.

The proposed amendment would establish a new Job Development Fund and place the funds from the elimination of the service in that fund to provide resources to establish new approaches to employment opportunities for City residents. We would request that the Administration use these

funds as an opportunity to conceive innovative approaches to such job creation and report back to the Council by September on recommendations to achieve this important goal.

Respectfully submitted,
Brian F. Curran Tim O. Mains
Councilmember at Large Councilmember at Large

Introductory No. 217B

AMENDING THE PROPOSED 2001-02 BUDGET IN REGARD TO EZ RIDER - \$375,200

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

Section 1. The Proposed 2001-02 Budget of the City of Rochester is hereby amended by transferring \$375,200 for the EZ Rider shuttle from the Economic Development Department to the Job Development Fund, the creation of which fund is hereby authorized.

Section 2. This ordinance shall take effect immediately.

Failed in committee.

The meeting was adjourned at 9:00 P.M.

CAROLEE A. CONKLIN
City Clerk

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SPECIAL COUNCIL MEETING
June 28, 2001
5:30 P.M.

Present - President Giess, Councilmembers Curran, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Absent - Councilman Douglas - 1.

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.

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Approving Continuation Of Two-Way Traffic On Trust Street Between Portland Avenue And Miller Street And On Miller Street Between Trust Street And Aebersold Street And Closure Of Miller Street To Through Traffic Int. No. 232 No speakers.

Abandonment Of A Portion Of Stillson Street And Sale Of Real Estate Int. No. 234 One speaker: Mike Lubas.

Authorizing An Increase In The Pavement Width Of Beach Avenue Int. No. 236 No speakers.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-221
Re: City Code Amendment - Human Rights

Transmitted herewith for your approval is legislation amending the new City Code provisions relating to human rights.

The legislation enacting these provisions was approved by the City Council on May 15. The legislation was forwarded to me for approval on May 30 and was signed on May 31.

During review of the legislation, it was determined that certain amendments are necessary to clarify the intent of the legislation or to make it consistent with federal or state laws. These amendments include:

1. The exclusion from the definition of "disability" of any condition or disorder that is excluded from the federal Americans With Disabilities Act;
2. An exemption from the provisions of the Code for any affirmative action plan that is consistent with federal and state law, as well as any other plan that is developed to overcome past discrimination;
3. Deletion of the exemption relating to expressive association, since such exemption is specified by case law;
4. Clarification that the provisions do not restrict an employer from instituting prohibitions and standards concerning illegal drugs and alcohol at the workplace;
5. Clarification that the provisions do not restrict a person from maintaining or operating...
 - a. Separate bathrooms, locker rooms and bathing facilities for males and females,
 - b. Dress and appearance requirements based on business considerations, and
 - c. Separate private schools for males and females.
6. Clarification that the provisions do not apply if any other cause of action is instituted.

With respect to the latter clarification, it is understood that the Council intended to provide an alternative pos-

sible remedy relating to discrimination claims, not an additional possible remedy that could be sought along with other remedies. It did not intend to have claims pursued in multiple causes of action.

Clarification of another provision of the legislation is also necessary, although no amendment is required. This clarification relates to the definition of "Discrimination, Discriminate or Discriminatory".

The definition includes "aiding, abetting, inciting, coercing or compelling" exclusionary acts. It is understood that this clause is not intended to result in potential double liability when a claim of discrimination is made.

For example, in an employment context, a claim must be made against the employer. A separate cause of action is not available against a supervisor or other employee in which aiding, abetting, inciting, coercing or compelling is alleged.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-221
(Int. No. 231)

**Amending Chapter 63 Of The Municipal Code
Relating To Human Rights**

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

Section 1. The new Chapter 63 of the Municipal Code relating to Human Rights, as added by Ordinance No. 2001-131, is hereby amended as follows:

- a. The definition of disability which is found in Section 63-2 is hereby amended by adding thereto the following new subsection D:

D. However, as used in this Chapter, the term "disability" shall not include any conditions or disorders which are excluded from coverage under the Federal Americans with Disabilities Act.
- b. Section 63-9, Exemptions, is hereby amended by adding thereto in subsection D the word "or" after the word "discrimination", and by adding the word "otherwise" before the word "consistent" where they are contained therein.
- c. Section 63-9, Exemptions, is hereby amended by deleting subsection L .
- d. Section 63-9, Exemptions, is hereby amended by adding thereto the following new subsections L and M:

L. It shall not be a violation of this Chapter for any employer to:
 - (1) prohibit the illegal use of drugs and the use of alcohol at the workplace by all employees;
 - (2) require that employees shall not be under the influence of alcohol or be engaging in the illegal use of drugs at the workplace;
 - (3) require that employees behave in conformance with the requirements estab-

lished under the Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.);

- (4) hold an employee who engages in the illegal use of drugs or who is an alcoholic to the same qualification standards for employment or job performance and behavior to which the employer holds other employees, even if any unsatisfactory performance or behavior is related to the drug use or alcoholism of such employee.

M. It shall not be a violation of this Chapter for any person to:

- (1) maintain separate bathrooms, locker rooms and bathing facilities for males and females;
- (2) maintain employment dress and appearance requirements based on business considerations; or
- (3) operate private schools for males and females.

e. Section 63-10, Remedy, is hereby amended by deleting the word "previously" where it appears in subsections D and E thereof.

Section 2. This ordinance shall take effect on July 1, 2001.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-222
Re: Trust/Miller Street

Transmitted herewith for your approval is legislation relating to Trust and Miller Streets. This legislation will approve:

1. The permanent change in the direction of traffic on Trust Street, between Portland Avenue and Miller Street, from one-way eastbound to two-way;
2. The permanent change in the direction of traffic on Miller Street, between Trust and Aebersold Streets, from one-way southbound to two-way; and
3. The permanent closure of Miller Street, between Aebersold and Trust Streets, through the installation of a traffic diverter.

These actions, on a temporary basis, were approved by the City Council on December 19, 2001.

At a neighborhood meeting on June 18, 2001, residents expressed strong support for the continuation of these actions on a permanent basis.

The Traffic Control Board endorsed the permanent actions on June 19. A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor
Councilman Mains moved to amend Introductory No. 232.

The motion was seconded by Councilwoman Santiago.

The motion was adopted unanimously.

Ordinance No. 2001-222
(Int. No. 232, As Amended)

Approving Continuation Of Two-Way Traffic On Trust Street Between Portland Avenue And Miller Street And On Miller Street Between Trust Street And Aebersold Street And Closure Of Miller Street To Through Traffic

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

Section 1. The Council hereby approves the continuation, until September 31, 2001, of two-way traffic on Trust Street between Portland Avenue and Miller Street, two-way traffic on Miller Street between Trust Street and Aebersold Street, and the closure of Miller Street as a through street between Aebersold Street and Trust Street, as was approved for a period of six months in Ordinance No. 2000-407.

Section 2. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-223
Re: Agreement - Urban League,
Technical Assistance Program

Transmitted herewith for your approval is legislation authorizing an agreement with the Urban League of Rochester, Inc., 265 N. Clinton Avenue, for continued administration of a technical assistance program for small businesses. The maximum cost of this agreement will be \$45,000, which will be financed from the 2000-01 Community Development Block Grant.

The City has several programs designed to assist small businesses to participate in the City's procurement opportunities. The aforementioned program has primarily been directed to those businesses that are involved in the City's rehabilitation programs.

The League has administered the program since its inception in 1987. The most recent agreement for such administration for a three-month period was authorized by the City Council on November 14, 2000.

Following is a summary of the League's performance under this agreement:

	<u>Planned</u>	<u>Actual</u>
Participants - Consultations	70	69
Seminars/Workshops	6	12

Three of the participants submitted bids for a total of 12 projects. Seven of the bids were successful.

The proposed agreement will provide for continued administration of the program by the League. Specifically, the League will:

1. Provide businesses with assistance on procedural aspects of eligibility for Women/Minor-

ity Business Enterprise certification with the NYS Office of Minority and Women Business Development;

2. Provide bid estimation services on an as needed basis;
3. Conduct workshops concerning the following subjects:
 - Information and referral services
 - Business planning
 - Cost estimating and bid preparation
 - Blueprint and specification interpretation
 - Establishing and securing credit
 - Employment practices
 - Marketing and advertising
4. Maintain a reference library with copies of specifications, plans and Dodge Reports; and
5. Develop and disseminate Spanish promotional materials about the program.

It is estimated that there are approximately 50 businesses in the city that are operated by Hispanics. At present, 8% - 10% of the participants in the program are Hispanics.

The development of Spanish promotional materials is intended to increase Hispanic participation. Hispanic mentors have already been identified to assist new participants, if necessary.

These activities will supplement the assistance provided to Hispanic businesses by the Economic Development Department, which are described in the attachment.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilman Mains moved to amend Introductory No. 233.

The motion was seconded by Councilman Stevenson.

The motion was adopted unanimously.

Ordinance No. 2001-223
(Int. No. 233, As Amended)

Authorizing An Agreement With The Urban League Of Rochester, N.Y., Inc. To Administer The Technical Assistance And Consulting Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Urban League of Rochester, N.Y., Inc., to administer the Technical Assistance and Consulting Program.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$45,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program. In said Allocation, the sum of \$4,000 is hereby transferred from the Landlord Tenant Services Account and the sum of \$1,000 from the Mortgage Default Resolution Account to the Technical Assis-

tance and Consulting Program Account to fund this appropriation.

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.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Introductory 234
Re: Stillson Street Abandonment

Transmitted herewith for your approval is legislation relating to the abandonment of Stillson Street. This legislation will:

1. Amend the Official Map to provide for the abandonment; and
2. Approve the sale of the abandoned area to the owner of the adjacent property, Triangle Building Association (Flaum Management).

The abandonment was requested by Flaum to permit development of a parking lot at 21 Stillson Street, the site of the former Stillson Street garage, and 61 Chestnut Street, which is presently a City parking lot. Sale of the latter property will be proposed in the future.

The area to be abandoned contains .175 acres. If the abandonment is approved, it will be sold to Triangle Building Association for \$75,000, a price established by an independent appraiser, Robert Pogel.

The Planning Commission held an informational meeting on the abandonment on May 7; there was one speaker, who supported it. The Commission recommended by a vote of 5-1-1 that the abandonment be approved subject to various conditions.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the abandonment will not result in any significant effects. A negative declaration has been issued.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Introductory No. 234

ABANDONMENT OF A PORTION OF STILLSON STREET AND 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 parcel, heretofore dedicated to street purposes and constituting a portion of Stillson Street:

All that tract or parcel of land situate in the Phelps and Gorham Purchase, City of Rochester, County of Monroe, State of New York, all as

shown on a map entitled "21 Stillson Street, Subdivision Plan", prepared by Costich Engineering, P.C., having drawing number 1890-SUB, last dated 2/6/2001, and being more particularly bounded and described as follows:

Commencing at a point at the northeast corner of Stillson Street (43' R.O.W.) and East Main Street (90' R.O.W.); thence

- A) N21°-41'-51"E, a distance of 63.31 feet to a point, said being the point and place of beginning; thence
 - 1) N71°13'59"W, a distance of 43.06 feet to a point; thence
 - 2) N21°41'51"E, a distance of 106.95 feet to a point; thence
 - 3) Continuing N21°41'51"E along the aforesaid line, a distance of 25.12 feet to a point; thence
 - 4) N69°15'59"E, a distance of 48.00 feet to a point; thence
 - 5) N19°14'02"E, a distance of 20.94 feet to a point; thence
 - 6) S12°06'33"E, a distance of 0.13 feet to a point; thence
 - 7) S11°04'10"E, a distance of 79.28 feet to a point; thence
 - 8) N70°53'30"W, a distance of 15.01 feet to a point; thence
 - 9) S84°04'02"W, a distance of 22.03 feet to a point; thence
 - 10) S21°41'51"W, a distance of 105.51 feet to the point and place of beginning. Containing 0.175 acres of land, more or less.

Section 2. The abandonment authorized herein shall take effect upon compliance by the applicant with the provisions established by the City Planning Commission in its recommendations of May 7, 2001.

Section 3. Upon abandonment of said street, the Council hereby approves the sale of the City-owned abandonment area to Triangle Building Association for the sum of \$75,000.

Section 4. This ordinance shall take effect immediately.

Referred to the Parks, Public Works and the Environment Committee and held in committee.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-224
Re: Weed and Seed Program

Transmitted herewith for your approval is legislation authorizing an agreement with the U.S. Department of Justice for receipt and use of a supplemental grant of \$175,000 under the Weed and Seed Program.

The program, which was instituted in 1996, is de-

signed to support both anti-crime efforts (weed) and projects that prevent crime by improving neighborhood conditions (seed). In Rochester, the program has been operated in the northeast quadrant of the city.

Receipt of the most recent grant was authorized by the City Council on October 6, 1999. Under the proposed supplemental grant, the program will be expanded to include the southwest area.

The grant will be used for the following purposes:

Pathways to Peace Behavioral Management	\$ 25,000
DRIVERS Team Mentoring Program	10,000
"Put a Face on Violence" Campaign	15,000
Youth Leadership Institute	40,000
North East Neighborhood Alliance Market Garden and Regional Farm Stand Project	15,000
Sector 10 GIS Asset Mapping	10,000
Virtual Community Link Partnership	30,000
Travel	10,000
Program Administration	20,000
Total	\$175,000

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-224
(Int. No. 235)

Authorizing Agreements For The Weed & Seed Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Justice, Office of Justice Programs, for funding under the Weed & Seed Grant Program.

Section 2. The Mayor is hereby further authorized to enter into such agreements as may be necessary to implement the Weed & Seed Grant Program.

Section 3. The agreements shall obligate the City to pay amounts not to exceed \$175,000 as set forth in the budget for the Weed & Seed Grant Program, and said amount, or so much thereof as may be necessary, is hereby appropriated from Weed & Seed Grant Program Funds.

Section 4. The agreements shall contain such additional 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. 2001-225
Re: Pavement Width Change - Beach Avenue

Transmitted herewith for your approval is legislation authorizing an increase of 10' in the pavement width of Beach Avenue, from a point 70' east of Estes Street for a distance of 130', inclusive of tapers. The increase will provide a recessed bus pull-off in front of the

Roger Robach Community Center.

The increase is part of the portion of the Lake Avenue Improvement Project that extends from the Lake Avenue State Parkway to Beach Avenue. The project was designed by Bergmann Associates under agreements that were authorized by the City Council on October 13, 1998 and March 25, 1999.

Besides the increase in pavement width for the bus pull-off, the project includes the realignment of the intersection of Beach and Lake Avenues, the installation of a 10' wide raised median at the intersection and the elimination of the portion of Beach Avenue east of Lake Avenue. Construction began in the spring of 2000 and is scheduled to be completed this summer.

The increase in pavement width was endorsed by the Traffic Control Board on June 5. A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-76

Ordinance No. 2001-225
(Int. No. 236)

Authorizing An Increase In The Pavement Width Of Beach Avenue

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

Section 1. The Council hereby approves an increase in the pavement width of Beach Avenue for a recessed bus pull-off on the north side of ten feet, with tapers at each end, from a point approximately 70 feet east of Estes Street and continuing eastward for 130 feet.

Section 2. Such changes, and additional improvements as a part of the Lake Avenue Public Improvement Project, 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.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-226
Re: Agreement - LaBella Associates, Port of Rochester Improvement Project

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with LaBella Associates, 300 State Street, for additional design and engineering services relating to the Port of Rochester Improvement Project. The maximum cost of this agreement will be \$1,805,000, which will be financed from the proceeds of bond issues that were previously authorized, previously appropriated state and federal funds, and Cash Capital allocations.

The project includes realignment of Beach Avenue, east of Lake Avenue, the reconstruction and extension of River Street from Stutson Street into the port area; reconstruction of Latta Road, east of Lake Avenue; construction of a new road from River Street extend-

ing south to Petten Street; construction of three new access roads from Lake Avenue into the port area; parking and infrastructure improvements; construction of a customs station/ferry terminal and other border crossing facilities; installation of a public transient docking facility; and new pedestrian trails.

Agreements for preliminary design and engineering services relating to some of these improvements were previously authorized by the City Council on March 25 and July 13, 1999. An agreement for final design of improvements to River and Lighthouse Streets and Latta Road was authorized on January 16, 2001.

The proposed amendatory agreement will provide for final design of the following other improvements:

Improvement	Estimated Construction Cost
Site Remediation and Demolitions	\$ 1,000,000
Beach Avenue Gateway Improvements	2,250,000
Port Access Roads	2,650,000
River Street Extension and Improvements	2,450,000
River Wall	6,500,000
Pedestrian Promenade	1,000,000
North Warehouse Terminal Improvements	12,000,000
Total	\$27,850,000

Funding for \$19,220,000 of this amount has been secured. The remaining amount is planned to be financed from grants from the Federal Highway Administration (\$6,000,000) and Federal Border Crossing Program (\$5,600,000), although these grants have not yet been approved.

The north warehouse improvements include interim customs station and ferry terminal and berthing facilities. These improvements are required to assure the prospective ferry service operator, Canadian American Transportation System LLC, that service could begin in the summer of 2002.

Such assurance is necessary to permit CATS to complete financing for construction of the ferry boat(s). The completion of financing is a prerequisite for execution by the City of an operating agreement with CATS.

However, the cost of design of the interim facilities is not an authorized expense under the existing federal grants, since an agreement with the prospective ferry operator has not been executed. Further, the cost could not be reimbursed from any future federal grants.

Accordingly, the City's share of the cost of the design agreement will be \$772,000 more than the amount previously anticipated. If the proposed amendatory agreement is approved, the total cost of the agreement with LaBella will increase to \$3,575,000.

If the agreement is approved, construction of the interim facilities could be substantially completed by the fall of 2002.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilman Curran moved to amend Introductory No. 237.

The motion was seconded by Councilwoman Gris-

wold.

The vote for the motion failed.

Ordinance No. 2001-226
(Int. No. 237)

Establishing \$1,805,000 As Maximum Compensation For An Amendatory Professional Services Agreement For The Port Of Rochester Harbor Improvement Project

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

Section 1. The sum of \$1,805,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and LaBella Associates for engineering design services related to the Port of Rochester Harbor Improvement Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Of said amount, \$65,000 shall be funded from the New York State funds appropriated in Section 4 of Ordinance No. 2000-367, \$578,000 shall be funded from the Federal Highway Administration funds appropriated in Section 3 of Ordinance No. 99-82, \$197,000 shall be funded from the New York State Multi-Modal funds appropriated in Section 2 of Ordinance No. 98-379, \$50,000 shall be funded from the New York State Waterfront Revitalization funds appropriated in Section 2 of Ordinance No. 2000-367, \$65,000 shall be funded from the New York State Waterfront Revitalization funds appropriated in Section 3 of Ordinance No. 2000-367, \$135,000 shall be funded from the 1998-99 Cash Capital Allocation, \$595,000 shall be funded from the 1999-2000 Cash Capital Allocation, \$70,000 shall be funded from Bond Ordinance No. 99-246, and \$50,000 shall be funded from Bond Ordinance No. 97-64.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Mains, Norwood, Santiago, Stevenson, Thompson - 6.

Nays - Councilmembers Curran, Griswold - 2.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-227
Re: Agreement - Humane Society,
Veterinary Services

Transmitted herewith for your approval is legislation authorizing an agreement with the Humane Society of Rochester and Monroe County, 99 Victor Road, for the continued provision of veterinary services for the Animal Services Center. The maximum cost of this agreement will be \$27,000, which will be financed from the 2001-02 budget of the Police Department. In July, 2000, when the Police Department assumed responsibility for operation of the Center, it executed an agreement with the Humane Society for veterinary services on a three-month trial basis. On October 17, an amendatory agreement with the Humane Society was authorized by the City Council, for the continuation of services through June 30, 2001.

Under the proposed agreement, the Humane Society will continue to provide veterinary services beyond

that date. Under the agreement, a veterinarian will:

1. Visit the Center each morning, Monday through Friday (except holidays), to evaluate animals suspected of being sick or injured and to recommend treatment or disposition;
2. Administer rabies vaccinations to every animal over three months of age that is eligible for redemption or adoption;
3. Perform surgical sterilization of animals designated as "high risk" by the Center;
4. Transport animals in need of in-patient care to Lollypop Farm;
5. Provide veterinary supplies other than those routinely purchased and used by the Center for euthanasia and tranquilizing;
6. Consult with Center personnel about the general health of the animal population, vaccination schedule, disease identification and management and animal care; and
7. Provide expert testimony as necessary.

The fee for these services will be \$55 per hour, which is \$15 more than the current fee. The fee for regular surgical sterilizations will be \$75, while the fee for sterilization of female animals that are "in heat" or pregnant will be \$90. The cost of supplies will be based on specified unit prices.

The agreement will have an initial term of one year with provision for renewal for an additional one-year period. The estimated annual cost is \$42,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-227
(Int. No. 238)

Establishing \$42,000 As Maximum Compensation For A Professional Services Agreement For Veterinary Services

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

Section 1. The sum of \$42,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Humane Society of Rochester and Monroe County for the continued provision of veterinary services for the Animal Control Shelter for one year. Said amount shall be funded from the 2001-02 Budget of the Rochester Police Department. The agreement may contain an option for an additional year in an amount not to exceed that set forth in the 2002-03 Budget for this purpose, contingent upon approval of said budget.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-228
Re: Neighborhood Graffiti Control Program

Transmitted herewith for your approval is legislation relating to the Neighborhood Graffiti Control Program. This legislation will:

1. Appropriate \$200,000 from the Housing Stock and General Property Conditions allocation of the 2001-02 Community Development Block Grant to finance continuation of the program; and
2. Authorize any required agreements or amendatory agreements to administer the program.

The graffiti control program, which was initiated in 1991, is designed to assist neighborhood residents and businesses in reducing the incidence and extent of graffiti. To date, \$1,997,764 has been appropriated to 14 neighborhood organizations, the City School District, Monroe County and the Department of Environmental Services to finance anti-graffiti activities.

The most recent appropriations were approved by the City Council on June 20, 2000. Attached is a summary of the status of these appropriations and the performance of the neighborhood organizations through April.

The proposed legislation will appropriate the funds required for continuation of the program during 2001-02. Since sufficient funds are available from prior appropriations, no additional funds will be provided to the Montgomery Neighborhood Center, which administers the program in the Plymouth-Exchange and Mayors Heights neighborhoods, and South East Area Coalition Association, which administers the program in the southeast quadrant.

Under its proposed agreement, North East Area Development will be able to use its allocation to finance the costs of either anti-graffiti activities or the maintenance of vacant private or City lots. It has provided the latter services since 1997.

When a violation of the Property Code occurs, a Notice and Order is sent to the owner of the property. If the necessary abatement does not occur, a work order is sent to NEAD, rather than the Department of Environmental Services.

As appropriate, NEAD mows grass, trims bushes and shrubs, removes litter and trash and corrects any exterior violation. It advises the City of the cost abatement and the City bills the property owner.

For City properties, NEAD provides mowing, trimming and trash removal services in accordance with a specified schedule and addresses other exterior problems as required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment AA-77

Ordinance No. 2001-228
(Int. No. 239)

Authorizing Agreements Relating To The Graffiti Control Program

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

Section 1. The Mayor is hereby authorized to enter into agreements or amendatory agreements with the

following neighborhood organizations in amounts not to exceed the following for funding as part of the Graffiti Control Program:

Organization Neighborhood	Amount
Coalition of North East Assoc. Upper Falls	\$ 15,000
Group 14621 Community Assoc. 14621 Neighborhood	20,000
Marketview Heights Association South Marketview	20,000
North East Area Development Sector 8	60,000
North East Block Club Alliance North Marketview	15,000
Northwest Community Services Brown Square Dutchtown Edgerton Lyell-Otis Susan B. Anthony	60,000
Southwest Neighborhood Assoc. Genesee-Jefferson	10,000
Total	\$200,000

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$200,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-229
Re: Agreement - Monroe Community
College, Youth Sports Program

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe Community College for support of the National Youth Sports Program. The maximum cost of the agreement will be \$18,837, which will be financed from the General Community Needs allocations of the 1999-00 and 2000-01 Community Development Block Grants.

The National Youth Sports Program enables 360 "at-risk" youth, ages 10 through 16 years, to participate in organized athletic instruction and summer camp activities. Under the proposed agreement, MCC will provide free transportation for the youth from seven sites throughout the city to its campus. MCC will also provide 10 counselor assistant positions for participants in the Good Grades Pay! program.

Transportation	\$10,000
Counselor Assistants	8,837
Total	\$18,837

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-78

Ordinance No. 2001-229
(Int. No. 240)

Authorizing An Agreement For The National Youth Sports Program Support Project

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Monroe Community College for the National Youth Sports Program Support Project.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$18,837, and of said amount, or so much thereof as may be necessary, \$10,000 is hereby appropriated from the General Community Needs Allocation of the 1999-2000 Community Development Program and \$8,837 is hereby appropriated from the General Community Needs Allocation of the 2000-01 Community Development Program.

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.

The meeting was adjourned at 6:40 P.M.

CAROLEE A. CONKLIN
City Clerk

* * * * *

REGULAR MEETING July 17, 2001

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - none - 0.

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.

THE COUNCIL PRESIDENT - PRESENTATION AND REFERENCE OF PETITIONS AND REMONSTRANCES.

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Authorizing An Increase In Pavement Width Of Lattimore Road As A Part Of The Lattimore Road/ Kendrick Road Improvement Project And Acceptance Of An Easement, As Amended Int. No. 243 No speakers.

Authorizing An Increase In The Pavement Width Of Meigs Street For A Recessed Pick-Up/Drop-Off Bus Stop Zone Int. No. 256 One speaker: Charles Lewis.

Approving The Acquisition Of Parcels For The Fulton Avenue Redevelopment Project By Negotiation Or Condemnation Int. No. 275 Two speakers: Sharon Conheady and Peter Carmen.

Approving The Acquisition Of Parcels For The Project Turnaround Challenged Street Program By Negotiation Or Condemnation Int. No. 277 Four speakers: Darryl Parker, Edna Craven, Joan Roby Davison and Delaine Cook Green.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:

Ladies and Gentlemen:

Introductory No. 275 and
Introductory No. 276

Re: Fulton Avenue Redevelopment Project

Transmitted herewith for your approval is legislation relating to the Fulton Avenue Redevelopment Project. This legislation will:

1. Authorize the acquisition, by negotiation or condemnation, of 15 properties at a maximum total cost of \$207,450; and
2. Authorize the issuance of bonds totaling \$456,500 and appropriate the proceeds thereof to finance this cost, the costs of closing and demolition, and the reimbursement of the costs of the prior acquisition of two other properties.

The acquisition prices were established by independent appraisers, Kevin Bruckner and Robert Pogel.

The redevelopment project will involve the construction of up to 10 single-family houses that will be owner-occupied and 10 rental units in two structures that will be constructed and managed by Providence Housing Development Corporation. The project is intended to reduce blighting conditions within the neighborhood, expand the City's tax base and increase the value of existing properties, and provide additional housing opportunities.

Following acquisition of the properties, the fourteen vacant structures presently on the properties will be demolished, at an estimated cost of \$196,000. Where appropriate, the resultant vacant lots will be combined with other vacant lots owned by the City and reserved for future residential development. In some instances, portions of the lots will be offered for sale to the private owners of adjacent properties to increase yard areas.

Two other properties, 117 and 123 Fulton Avenue, were previously acquired from the U.S. Department of Housing and Urban Development under the Asset

Control Area Partnership Program. The Home Ownership Investment Program will be reimbursed for the costs of these properties, \$10,000, from the proceeds of the proposed bond issue.

Consideration by the Council of the proposed legislation should be deferred pending the completion of determinations and findings for the proposed property acquisitions. A public hearing on these acquisitions is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Introductory No. 275

APPROVING THE ACQUISITION OF PARCELS FOR THE FULTON AVENUE REDEVELOPMENT PROJECT BY NEGOTIATION OR CONDEMNATION

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

Section 1. The Council hereby approves the acquisition of the following parcels from the current owners for maximum amounts not to exceed the following as a part of the Fulton Avenue Redevelopment Project:

Property Address Reputed Owner	SBL # Type	Maximum Acquisition Cost
27-29 Fulton Ave. Andrew T. Stevens	105.60-1-4 4 Family	\$ 19,000
124 Fulton Ave. Ray A. Johnson	105.43-2-37 3 Family	19,000
125 Fulton Ave. 200-210 Lyell Ave. Inc.	105.43-2-48 3 Family	28,000
129 Fulton Ave. George J. & Michelina R. Picardo	105.43-2-47 2 Family	16,000
131-133 Fulton Ave. Jeffrey S. Bittel & Joseph V. Barr	105.43-2-46 4 Family	16,000
134 Fulton Ave. Michael & Jill Treat	105.43-2-41 2 Family	4,000
135 Fulton Ave. Jeffrey S. Bittel & Joseph V. Barr	105.43-2-45 4 Family	16,000
143 Fulton Ave. William DiBacco, Jr. & Woodbury Hamilton	105.43-2-21 4 Family	20,000
162-164 Fulton Ave. Peter Buhan & Bonnie Venticinqu	105.43-1-29 2 Family	12,000
207 Fulton Ave. Michael & Jill Treat	105.35-4-36 3 Family	6,000
210 Fulton Ave. Charles E. Daniels	105.35-2-52 Vacant Lot	950
212 Fulton Ave. Charles E. Daniels	105.35-2-53 1 Family	8,000
215-217 Fulton Ave. Donald Forsay	105.35-4-32 4 Family	21,000
225-225 1/2 Fulton Ave. James McLaughlin	105.35-1-15 2 Family	15,000
227 Fulton Ave. Leon Ilardi	105.35-1-14 1 Family	6,500
Acquisition Costs		\$207,450
Closing Costs		43,000
TOTAL		\$250,450

Section 2. The acquisition and closing costs shall obligate the City to pay an amount not to exceed \$250,450, and said amount, or so much thereof as may be necessary, shall be funded from a bond ordinance for this purpose.

Section 3. City taxes and other current-year charges against said parcels shall be canceled from the date of 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 still owns the parcels, shall also be canceled.

Section 4. In the event that any or all of said parcels cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for the acquisition of said parcels.

Section 5. This ordinance shall take effect immediately.

Referred to Housing and Community Development Committee and held.

Introductory No. 276

BOND ORDINANCE OF THE CITY OF ROCHESTER, NEW YORK AUTHORIZING THE ISSUANCE OF \$456,500 BONDS OF SAID CITY TO FINANCE A PORTION OF THE COSTS OF THE ACQUISITION AND DEMOLITION OF IMPROVEMENTS ON DESIGNATED PARCELS OF REAL PROPERTY WITHIN THE CITY'S FULTON AVENUE REDEVELOPMENT 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 the "City"), is hereby authorized to finance the costs of a portion of the City's Fulton Avenue Redevelopment Project (the "Project"), consisting of the acquisition of the following properties: 27-29 Fulton Avenue, 117 Fulton Avenue, 123 Fulton Avenue, 124 Fulton Avenue, 125 Fulton Avenue, 129 Fulton Avenue, 131-133 Fulton Avenue, 134 Fulton Avenue, 135 Fulton Avenue, 143 Fulton Avenue, 162-164 Fulton Avenue, 207 Fulton Avenue, 210 Fulton Avenue, 212 Fulton Avenue, 215-217 Fulton Avenue, 225-225 1/2 Fulton Avenue and 227 Fulton Avenue. Improvements on said properties are to be ultimately demolished by the City. The estimated maximum cost of the specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$456,500, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$456,500 bonds of the City, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable. The City has previously authorized (Ordinance No. 2000-164) funds to acquire and demolish other properties and improvements within the Project boundaries.

Section 2. Bonds of the City in the principal amount of \$456,500 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 purpose 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 \$456,500. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.21 of the Law, is thirty (30) 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.

Referred to Housing and Community Development Committee and held.

TO THE COUNCIL:
Ladies and Gentlemen:

Introductory No. 277 and
Introductory No. 278
Re: Project Turnaround

Transmitted herewith for your approval is legislation relating to Project Turnaround. This legislation will:

1. Authorize the acquisition, by negotiation or condemnation, of eight properties on Bernard, Loomis and Maria Streets, at a maximum total cost of \$29,900; and
2. Authorize the issuance of bonds totaling \$156,900 and appropriate the proceeds thereof to finance this cost and the costs of closing and demolition.

The acquisition prices were established by independent appraisers, Kevin Bruckner and Robert Pogel.

The project area is bounded by Wilkins Street on the north, Hudson Avenue on the east, Cuba Place on the south, and Joseph Avenue on the west. The project involves the construction of up to 20 single-family houses and is intended to reduce blighting conditions within the neighborhood, expand the City's tax base and increase the value of existing properties, and provide additional housing opportunities. Five of the houses have already been constructed by Flower City Habitat for Humanity.

Following acquisition of the properties, the seven structures presently on the properties will be demolished, at an estimated cost of \$105,000. The resultant vacant lots will be combined with other vacant lots owned by the City and reserved for future residential development.

Consideration by the Council of the proposed legislation should be deferred pending the completion of determinations and findings for the proposed property acquisitions. A public hearing on these acquisitions is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Introductory No. 277

APPROVING THE ACQUISITION OF PARCELS FOR THE PROJECT TURNAROUND CHALLENGED STREET PROGRAM BY NEGOTIATION OR CONDEMNATION

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

Section 1. The Council hereby approves the acquisition of the following parcels from the current owners for maximum amounts not to exceed the following as a part of the Project Turnaround Challenged Street Program:

sition of the following parcels from the current owners for maximum amounts not to exceed the following as a part of the Project Turnaround Challenged Street Program:

Property Address	SBL #	Type	Maximum Acquisition Cost
8 Bernard St.	106.24-2-70		\$4,000
Amelia Casciani		3 Family	
22 Bernard St.	106.24-2-67		7,500
Leroy Thomas		1 Family	
28 Bernard St.	106.24-2-66		2,300
James Mitchell		1 Family	
34 Loomis St.	106.23-3-61		1,000
Willis Norman, Jr. & Dorothy Norman		1 Family	
53 Maria St.	106.32-1-52		5,000
United Companies Lending Corp.		1 Family	
67 Maria St.	106.32-1-45		6,000
Richard J. & Anita R. Frank		1 Family	
72 Maria St.	106.32-1-3		3,300
Elston Hernandez		1 Family	
75 Maria St.	106.23-3-60		800
Gladys Siplin		Vacant Lot	
			<u>29,900</u>
Closing Costs			<u>22,000</u>
TOTAL			\$51,900

Section 2. The acquisition and closing costs shall obligate the City to pay an amount not to exceed \$51,900, and said amount, or so much thereof as may be necessary, shall be funded from a bond ordinance for this purpose.

Section 3. City taxes and other current-year charges against said parcels shall be canceled from the date of 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 still owns the parcels, shall also be canceled.

Section 4. In the event that any or all of said parcels cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for the acquisition of said parcels.

Section 5. This ordinance shall take effect immediately.

Referred to Housing and Community Development Committee and held.

Introductory No. 278

BOND ORDINANCE OF THE CITY OF ROCHESTER, NEW YORK AUTHORIZING THE ISSUANCE OF \$156,900 BONDS OF SAID CITY TO FINANCE A PORTION OF THE COSTS OF THE ACQUISITION AND DEMOLITION OF IMPROVEMENTS ON DESIGNATED PARCELS OF REAL PROPERTY WITHIN THE CITY'S PROJECT TURNAROUND CHALLENGED STREET PROGRAM

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 the "City"), is hereby authorized to finance the costs of a portion of the City's Project Turnaround Challenged Street Program (the "Project"), consisting of the acquisition of the following properties: 8 Bernard Street, 22 Bernard Street, 28 Bernard Street, 34 Loomis Street, 53 Maria Street, 67 Maria Street, 72 Maria Street and 75 Maria Street. Improvements on said properties are to be ultimately demolished by the City. The estimated maximum cost of the specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$156,900, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$156,900 bonds of the City, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$156,900 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 \$156,900. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.21 of the Law, is thirty (30) 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.

Referred to Housing and Community Development Committee and held.

TO THE COUNCIL:
Ladies and Gentlemen:

Local Law No. 2
Re: Local Law - Police and Fire Pension Funds

Transmitted herewith for your approval is legislation authorizing an increase in the amount of the annual pensions provided by the City's Police and Fire Pension Funds.

The pension funds were established prior to the creation of the NYS Police and Fire Retirement System. Membership in the funds is closed and payments are limited to retirees or their widows.

With respect to the Police Pension Fund, one retiree and 10 widows currently receive benefits. With respect to the Fire Pension Fund, no retirees and 11 widows receive benefits.

The annual benefit payment to the retiree is \$13,150. The annual payments to the other beneficiaries is \$6,600.

The proposed Local Law will increase all payment amounts by \$300 in each of the next two years. Similar increases were authorized by the City Council on July 13, 1999.

If approved, the increase will result in additional payments of \$6,600 and \$13,200 during the next two years.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Local Law No. 2
(Int. No. 279)

Local Law Providing For Supplemental Pension Payments Under The Old City Pension Plan

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

Section 1. The Council hereby approves an annual supplemental pension payment of \$300., commencing in the fiscal year beginning July 1, 2001 and in the fiscal year beginning July 1, 2002, to retired officers and members of the Police and Fire Departments of the City of Rochester, and to widows of retired officers and members of the Police and Fire Departments of the City of Rochester, who have heretofore been retired pursuant to the provisions of Article VIIIC of the Charter of the City of Rochester. These supplemental pension payments shall be in addition to any other pension payments previously authorized.

Section 2. This local law shall take effect immediately and apply retroactively to July 1, 2001.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-230
Re: Agreement - Rural Metro Medical Services, Emergency Ambulance Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Rural Metro Medical Services, 177 University Avenue, for the continued provision of emergency ambulance service requested by the City.

A municipality is authorized to provide ambulance service under section 122-b of the NYS General Municipal Law. Historically, the City has provided such service through agreements with private companies.

The current agreement, with Rural Metro, was approved by the City Council on August 20, 1996. Amendatory agreements, extending the term through July 31, 2001, were approved by the Council on October 17, 2000, January 16, 2001 and April 26, 2001.

The proposed additional amendatory agreement will further extend the term to October 31.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-230
(Int. No. 280)

Authorizing An Amendatory Agreement With Rural Metro Medical Services For The Continued Provision Of Emergency Ambulance Services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Rural Metro Medical Services for the continued provision of emergency ambulance services as requested by the City, or when the City receives a request for ambulance services from a third person, and standby services at emergency scenes and special events, through October 31, 2001.

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.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson
July 17, 2001

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 241 - Establishing \$20,000 As Maximum Compensation For An Amendatory Professional Services Agreement For The Building Renovation Program

Int. No. 242 - Establishing \$28,000 As Maximum Compensation For A Professional Services Agreement For Architectural Services For The Special Services Locker Room Renovation Project

Int. No. 259 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$418,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Streets Related To The Lake Avenue Public Improvement Project

Int. No. 260 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$1,310,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The Lake Avenue Public Improvement Project

Int. No. 261 - Establishing Maximum Compensation For Agreements For The Lake Avenue Public Improvement Project And Appropriating Funds, As Amended

Int. No. 262 - Establishing \$750,000 As Maximum Compensation For A Professional Services Agreement For Design Services For The Chili Avenue Improvement Project

Int. No. 263 - Establishing Maximum Compensation For Professional Services Agreements For Construction Resident Project Representation Services

Int. No. 264 - Establishing Maximum Compensation For A Professional Services Agreement For Project Management And Resident Project Representation Services

Int. No. 265 - Approving The Sale Of Camp Eastman To The Town Of Irondequoit, As Amended

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 243 - Authorizing An Increase In Pavement Width Of Lattimore Road As A Part Of The Lattimore Road/Kendrick Road Improvement Project And Acceptance Of An Easement, As Amended

Int. No. 244 - Establishing Maximum Compensation For An Agreement For Resident Project Representation Services For The Lattimore Road/Kendrick Road Improvement Project

Int. No. 256 - Authorizing An Increase In The Pavement Width Of Meigs Street For A Recessed Pick-Up/Drop-Off Bus Stop Zone

Respectfully submitted,
Robert J. Stevenson
Tony M. Thompson
Gladys Santiago
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-231
Re: Agreement - Donald Jensen and Associates, Structural Engineering Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Donald Jensen and Associates, 1653 E. Main Street, for the continued provision of structural engineering services for the Building Renovation Program. The maximum cost of this agreement will be \$20,000, which will be financed from the 1999-00 Cash Capital allocation of the Department of Environmental Services.

The Building Renovation Program is designed to preserve and enhance the value and usefulness of City facilities. The program includes both routine maintenance and rehabilitation and renovation projects.

Historically, the engineering services required for the program have been obtained from private organizations. The agreement with Jensen for structural engineering services was executed in July, 1998; an amendatory agreement was authorized by the City Council on April 13, 1999.

The maximum cost of the agreement is \$20,000. This amount has been fully expended or committed for engineering services at the following sites:

Clinton Avenue pavilion
Auto Pound
Fire stations
Chestnut Street
South Avenue
Hudson Avenue
Salt storage building
Genesee Valley Park recreation center
High Falls parking garage
Parks maintenance building
139 State Street (emergency repair of private property)

The proposed amendatory agreement will permit similar services to be provided for future projects. If it is approved, the total cost of the agreement with

Jensen will increase to \$40,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-231
(Int. No. 241)

Establishing \$20,000 As Maximum Compensation For An Amendatory Professional Services Agreement For The Building Renovation Program

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Donald Jensen and Associates for structural engineering services relating to the Building Renovation Program. Said amount shall be funded from the 1999-2000 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-232
Re: Agreement - Richard Alfred Mauser Architects, Operation Center Renovation

Transmitted herewith for your approval is legislation authorizing an agreement with Richard Alfred Mauser Architects, 91 Pinnacle Road, for architectural and engineering services relating to the renovation of the Operations Center of the Department of Environmental Services. The maximum cost of this agreement will be \$28,000, which will be financed from the 2000-01 Cash Capital allocation of DES.

Historically, the employees of the center were male. Therefore, the center contains a single "ready room" in which employees prepare for duty.

Now, however, females are included in the work force. Separate locker rooms are therefore required to ensure that the needs of all employees are adequately addressed.

The renovation project will include the relocation of two offices and the stockroom to accommodate the locker rooms; replacement of the heating, ventilating and air conditioning system; upgrading of the electrical system; and the installation of new restrooms. Both the locker rooms and the restrooms will comply with the standards of the Americans with Disabilities Act.

Proposals for the architectural and engineering services required for the project were solicited from four firms. RAMA is recommended to provide the services based on its past performance on similar renovation projects.

Under the proposed agreement, RAMA will:

1. Develop the program statement for the project;

2. Analyze the existing building;
3. Prepare alternative layouts;
4. After the preferred layout is identified, prepare bid specification; and
5. Provide design and inspection services during construction.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-232
(Int. No. 242)

Establishing \$28,000 As Maximum Compensation For A Professional Services Agreement For Architectural Services For The Special Services Locker Room Renovation Project

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

Section 1. The sum of \$28,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Richard Alfred Mauser Architects for architectural services for the Special Services Locker Room Renovation Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded from the 2000-01 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinances No. 2001-233,
2001-234 and 2001-235

Re: Lake Avenue Improvement Project

Transmitted herewith for your approval is legislation relating to the Lake Avenue Improvement Project. This legislation will:

1. Appropriate anticipated federal and state reimbursements totaling \$9,850,000 to partially finance the costs of the project:

Federal	\$8,294,000
State	<u>1,556,000</u>
Total	\$9,850,000

2. Authorize the issuance of bonds totaling \$1,728,000 to finance the remaining costs:

Street	\$ 418,000
Water	<u>1,310,000</u>
Total	\$1,728,000

3. Authorize an agreement with CSX Transportation, Inc., for design review and flagging services, at a maximum cost of \$318,414; and
4. Authorize an agreement with The Sear-Brown Group, 85 Metro Park, for resident project representation services, at a maximum cost of \$1,200,000.

The project, which was designed by Sear-Brown under an agreement authorized by the City Council on August 19, 1997, extends from Burley Road to the Lake Ontario Parkway. It involves various changes in pavement width and the realignment of the intersection of Lake Avenue, River Street and St. John's Park; reconstruction of the pavement; replacement of water services and hydrants and mains, as necessary; installation of new curbs, catch basins, driveway aprons and sidewalks; traffic improvements; and landscaping. The changes in pavement width and realignment of the intersection were approved by the Council on July 13, 1999 and April 26, 2001.

Bids for construction of the project were received on June 26. The work will be performed by Nory Construction, Inc., at a cost of \$8,985,634, which is 7.75% more than the engineering estimate; an additional \$1,471,366 will be allocated for contingencies.

	<u>Improvement</u> <u>Construction</u>	<u>Inspection</u> <u>Contingency</u>	<u>Total</u>
Street	\$1,051,676	\$1,370,101	\$10,268,000
Water	\$7,846,223	143,249	1,310,000
Sewer	1,072,651	94,100	
	28,755	0	32,000
Traffic		3,245	
	<u>38,005</u>	<u>5,075</u>	<u>47,000</u>
Total	\$8,985,634	\$1,200,000	\$11,657,000
		\$1,471,366	

An additional \$318,414 will be expended for design review and flagging services by CSX, since the portion of Lake Avenue to be reconstructed traverses its rail lines near Boxart Street.

The costs of construction will be financed from the aforementioned appropriation of federal and state reimbursements, the proceeds from the proposed bond issues, the proceeds of a sewer bond issue that was previously approved by the Council and reimbursements from Monroe County.

Construction is scheduled to begin in the summer and be substantially completed by the summer of 2003. Sear-Brown is recommended to provide inspection services because of its familiarity with the project.

Public informational meetings concerning the project were held on April 12 and 14, and June 8 and 9, 1999 and March 27, 2001. Copies of the minutes of these meetings were previously submitted to the Council.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-233
(Int. No. 259)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$418,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Streets Related To The Lake Avenue Public Improvement Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain streets related to the Lake

Avenue Public Improvement Project within the City, more specifically, the area from Burley Road to the Lake Ontario State Parkway ("Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$8,347,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$418,000 bonds of the City, together with the application of \$1,252,000 from the State of New York and \$6,677,000 from the Federal government, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$418,000 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 \$418,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.20(c) of the Law, is fifteen (15) years.

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

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

Chief Fiscal Officer of the City.

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2001-234
(Int. No. 260)

Bond Ordinance Of The City of Rochester, New York, Authorizing The Issuance Of \$1,310,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The Lake Avenue Public Improvement Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain water mains related to the Lake Avenue Public Improvement Project within the City, more specifically, water mains located along Lake Avenue between Burley Road and the Lake Ontario State Parkway (the "Project"). The total estimated cost of said specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,755,700, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,310,000 bonds of the City, together with the application of \$70,400 from the State of New York and \$375,300 from the Federal government to finance the balance of said cost, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$1,310,000 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 \$1,310,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.1 of the Law, is forty (40) years.

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

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

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

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

the provisions of the Constitution.

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2001-235
(Int. No. 261, As Amended)

Establishing Maximum Compensation For Agreements For The Lake Avenue Public Improvement Project And Appropriating Funds

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

Section 1. The sum of \$1,200,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and The Sear Brown Group for resident project representation services related to the Lake Avenue Public Improvement Project. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the Project. Of said amount, \$45,324 shall be funded from a Bond Ordinance for street improvements, \$143,249 shall be funded from a Bond Ordinance for water improvements, \$5,075 shall be funded from the 1999-2000 Cash Capital Allocation, \$847,454 shall be funded from the appropriation made in Section 3, and \$158,898 shall be funded from the appropriation made in Section 4.

Section 2. The sum of \$[318,414] 138,414, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement with CSX Transportation for design review and construction inspection services for the Lake Avenue Public Improvement Project. Of said amount, \$[15,921] 6,921 shall be funded from a Bond Ordinance for street improvements, \$[254,731] 110,731 shall be funded from the appropriation made in Section 3, and \$[47,562] 20,762 shall be funded from the appropriation made in Section 4.

Section 3. There is hereby appropriated from anticipated reimbursements from the Federal Highway Administration the sum of \$8,294,000, or so much thereof as may be necessary, to fund construction and construction inspection services for the Lake Avenue Public Improvement Project.

Section 4. There is hereby appropriated from anticipated reimbursements from the State of New York the sum of \$1,556,000, or so much thereof as may be necessary, to fund construction and construction inspection services for the Lake Avenue Public Improvement Project.

Section 5. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-236
Re: Agreement - Goodkind & O'Dea, Inc.,
Chili Avenue Improvement Project

Transmitted herewith for your approval is legislation authorizing an agreement with Goodkind & O'Dea, Inc., 183 E. Main Street, for design of the Chili Avenue Improvement Project. The maximum cost of the agreement will be \$750,000, which will be financed from the appropriation of state and federal funds received for the project.

The project will extend from W. Main Street to the west city line. It will involve the reconfiguration of the street; rehabilitation or reconstruction of the pavement; improvements to the water distribution and drainage systems; replacement of curbs and sidewalks; traffic and signage modifications; and landscaping. The reconfiguration of the street will require the acquisition of certain adjacent parcels.

The cost of the project will be financed primarily by the state and federal governments. However, the project will be administered by the City under an agreement with the NYS Department of Transportation that was authorized by the City Council on March 21, 2000.

Proposals for design of the project were solicited through public advertising. Five proposals were received. Goodkind & O'Dea is recommended because of the qualifications of the personnel to be assigned to the project.

Design of the project is scheduled to be completed in the fall of 2002. Construction is expected to begin in the spring of 2003 and be completed by the fall of 2004.

The estimated cost of the project is \$8,360,000, which is expected to be financed as follows:

Federal	\$5,024,000
State	943,000
City	<u>2,393,000</u>
Total	\$8,360,000

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-236
(Int. No. 262)

Establishing \$750,000 As Maximum Compensation For A Professional Services Agreement For Design Services For The Chili Avenue Improvement Project

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

Section 1. The sum of \$750,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Goodkind

& O'Dea, Inc. for design services for the Chili Avenue Improvement Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Of said amount, \$33,250 shall be funded from the 1999-2000 Cash Capital Allocation, \$85,000 shall be funded from the 2000-01 Cash Capital Allocation, \$99,750 shall be funded from the appropriation of State funds made in Section 1 of Ordinance No. 2000-66 and \$532,000 shall be funded from the appropriation of Federal funds made in Section 1 of Ordinance No. 2000-66.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-237 and
Ordinance No. 2001-238
Re: Agreements - Project Representation
And Management Services

Transmitted herewith for your approval is legislation authorizing two-year agreements with the following firms for project representation and management services.

<u>Firm</u>	<u>Address</u>	<u>Amount</u>
Project Representation Services:		
Fisher Associates	135 Calkins Road	\$ 60,000
FRA Engineers	245 Summit Drive	60,000
SEA Engineers	71 Goodway Drive	60,000

Project Representation/Management Services:		
Bergmann Associates	28 E. Main Street	245,000

The costs of the agreements will be financed from Cash Capital allocations of the Department of Environmental Services.

Resident project representation or inspection services for construction projects are provided either by City personnel or private consultants. Typically consultants are retained on a "project by project" basis.

During the construction season, the need for inspection services - by either City personnel or private consultants - obviously increases. To provide flexibility in assignments, agreements are executed with private consultants for "on call" services.

The current agreements were authorized by the City Council on April 13, 1999; an amendatory agreement with one consultant was authorized on January 18, 2000. Following is a summary of the use of these consultants.

<u>Firm</u>	<u>Assignments</u>	<u>T o t a l</u>
<u>Fees</u>		
Fisher Associates		
Merrill Street, Radio Street		
and Gardland Avenue		\$20,627
FRA Engineering		
Cooper Street, Lower Falls trail		

residential curb ramps 48,084

Lu Engineers
St. Joseph's Urban Renewal Project,
Genesee River pedestrian trail 37,149

To provide for the continued provision of such services, DES solicited and received proposals from five firms. The recommended firms were selected based upon demonstrated skill and expertise, past performance and availability of personnel.

Under the terms of the proposed agreements, inspection services will be provided at the following hourly rates:

<u>Firm</u>	<u>Hourly Rate Range</u>
Fisher Associates	\$15.00 - \$28.50
FRA Engineers	\$16.00 - \$24.00
SEA Engineers	\$15.00 - \$23.00

The assignment of projects among the firms will be based upon their special skills, expertise, and availability of personnel.

Except for large, complex projects such as the renovation of the War Memorial, City personnel typically perform project management services for construction projects. However, because of the amount of construction scheduled to occur this year, City personnel will not be able to adequately manage all of the projects.

To address this problem and avoid any delays in the projects, DES recommends that the agreement with Bergmann provide not only for temporary inspection services, but also for temporary management services. For this purpose, it informally inquired from three firms about the availability of personnel.

Bergmann is the only firm that is able to provide a manager through the construction season. Bergmann, of course, has extensive experience with City construction projects and is familiar with the City's policies and procedures.

The specified hourly rates for Bergmann will range from \$14.00 to \$28.50. Of the total cost of the agreement, \$80,000 is expected to be associated with project management services.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-237
(Int. No. 263)

Establishing Maximum Compensation For Professional Services Agreements For Construction Resident Project Representation Services

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

Section 1. The sum of \$60,000 each, or so much thereof as may be necessary, is hereby established as the compensation to be paid for professional services agreements between the City and SEA Engineers, FRA Engineers and Fisher Associates for construction resident project representation services. The agreements may extend until three (3) months after completion of a two-year guarantee inspection of the Projects. Of said amounts, \$108,000 shall be funded from 1999-2000 Cash Capital Allocation and \$72,000 shall be funded from the 2000-01 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-238
(Int. No. 264)

Establishing Maximum Compensation For A Professional Services Agreement For Project Management And Resident Project Representation Services

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

Section 1. The sum of \$245,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for project management and resident project representation services. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the Projects. Of said amount, \$157,100 shall be funded from 1998-99 Cash Capital Allocation and \$87,900 shall be funded from the 1999-2000 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-239
Re: Real Estate Transactions - Camp
Eastman

Transmitted herewith for your approval is legislation relating to Camp Eastman. This legislation will authorize...

1. The sale of the property to the Town of Irondequoit for \$1.00 and other considerations; and
2. Assign to the town the present license agreement with the Rochester Pure Waters District.

Camp Eastman is located on Lake Shore Boulevard. It is abutted to the west by residential properties within the town, to the east by the Van Lare Treatment Plant, and to the south by Durand Eastman Park.

The property, which contains 90.9 acres, was acquired by the City in or around 1911 for municipal purposes. It has been considered as park land since at least the 1930's and has an Open Space zoning classification.

In 1971, the property was leased to RPWD as a "buffer" between the residential properties and the treatment plant and as a depository for fill from sewer tunnel construction projects. The northern portion of the property was subleased by the District to Rotary Sunshine Camp, which erected several structures on the property. After the camp relocated, most of the structures were vandalized or damaged by fire.

In 1986, the City executed a license agreement with RPWD and the Town for use of the property for recreational purposes. Since that time, the Town has made significant improvements to the property, including the removal of debris, construction of access roads and parking areas and reconstruction of buildings.

Camp Eastman is utilized heavily by the general public and accommodates a large summer camp program. It is also the site of the local Oktoberfest.

Sale of the property to the Town reflects its present use and will permit the Town to continue to make improvements with the assurance that their costs can be recovered. The present license agreement extends for only 10 more years.

The appraised value of the property is \$73,000, which was established by an independent appraiser, Robert Pogel. The relatively low value reflects the property's zoning classification and location adjacent to a sewage treatment facility and its encumbrance by the license agreement with RPWD.

As additional consideration of the sale, the Town...

1. In January, included within its master plan provisions for:
 - a. The relocation of the Genesee River boat launch from the west bank in Rochester to the east bank in Irondequoit, which will facilitate the development of the port; and
 - b. The connection of the river trails within Irondequoit to the trails within Rochester; and
2. Will provide for the use of the camp by the City without charge for up to 20 times annually in perpetuity, which has an annual value of \$2,400 at present rental rates;

The Town will be required to continue to use the property only for parks and recreational purposes and to afford city residents an equal opportunity to use the facilities. If the Town discontinues use of the property for park and recreational purposes, the City will be entitled to reacquire the property, and all improvements thereon, for \$1.00.

The property will continue to be subject to all applicable City codes and regulations.
Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-79

Ordinance No. 2001-239
(Int. No. 265, As Amended)

Approving The Sale Of Camp Eastman To The Town Of Irondequoit

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

Section 1. The Council hereby approves the sale of Camp Eastman to the Town of Irondequoit for the sum of \$1.00, subject to the following conditions:

1. A covenant that the property will continue to be used only for parks and recreation purposes and that all residents of the City shall be afforded the opportunity to use the property on an equal first come, first served basis.
2. That in the event the Town discontinues use of the property for public park and recreation purposes or offers the property for sale, the City will have the first option to reacquire the land and all improvements thereto for the sum

of \$1.00.

3. The City shall have use of the facility up to 20 times annually in perpetuity for meetings or City sponsored programs.
4. The Town shall include in its Master Plan provisions for the relocation of the Genesee River boat launch from the west bank in Rochester to the east bank in Irondequoit.
5. The Town shall include in its Master Plan provisions for the connection of river trails within Irondequoit to the trails within Rochester.
6. The existing lease with the Rochester Pure Waters District shall be assigned to the Town with the transfer of the property.
7. The City shall reserve an easement over the Camp Eastman parcel for the inspection, operation, maintenance and repair or replacement of the existing water line.

Section 2. Pursuant to Section 406 of the Real Property Tax Law, the Camp Eastman parcel shall be exempt from taxes, special ad valorem levies and special assessments for so long as the parcel is used by the Town of Irondequoit for park purposes.

Section 3. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-240 and
Ordinance No. 2001-241
Re: Lattimore/Kendrick Road
Improvement Project

Transmitted herewith for your approval is legislation relating to the Lattimore/Kendrick Road Improvement Project. This legislation will:

1. Authorize an additional change in pavement width on Lattimore Road; and
2. Authorize an agreement with Passero Associates, 100 Liberty Pole Way, for resident project representation services, at a maximum cost of \$215,000.

The cost of the agreement will be financed from Cash Capital allocations of the Department of Environmental Services, anticipated reimbursements from Monroe County and the Local Improvement Fund.

The project, which was designed by Passero under an agreement authorized by the City Council on October 12, 1999, extends on Lattimore Road from Elmwood Avenue to Crittenden Boulevard and on Kendrick Road from Lattimore Road to Westmoreland Road. It involves various changes in pavement width; rehabilitation of the pavement; replacement of hydrants and non-copper water services; installation of new curbs, catch basins and sidewalks; street lighting improvements; traffic modifications; installation of bicycle and pedestrian trails; and landscaping.

The changes in pavement width were approved by the Council on April 26. The changes included

the narrowing of Lattimore Road to provide a 36' pavement.

Subsequently, the Monroe County Department of Transportation recommended a right-turn lane on Lattimore Road at its intersection with Crittenden Boulevard. The proposed additional change in pavement width, an increase to 45', will accommodate this lane.

Construction of the project is scheduled to begin in the summer and be substantially completed in the summer of 2002. The present estimated cost of the project, including inspection services and contingencies, is \$1,969,000, which is \$145,000 more than the previous estimate.

Improvement	Estimated Cost
Street	\$1,280,800
Trail	431,000
Water	41,300
Sewer	64,300
Traffic	76,600
Special Features	75,000
Total	\$1,969,000

Actual bids for the project will be received on July 11. Passero is recommended to provide inspection services because of its familiarity with the project.

A public informational meeting for the project was conducted on May 25. A copy of the minutes of this meeting was previously provided to the Council.

The Traffic Control Board endorsed the additional change in pavement width on June 19. A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-80

Ordinance No. 2001-240
(Int. No. 243, As Amended)

Authorizing An Increase In The Pavement Width Of Lattimore Road As A Part Of The Lattimore Road/Kendrick Road Improvement Project And Acceptance Of An Easement

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

Section 1. The Council hereby approves an increase of 9 feet in the pavement width of Lattimore Road, from 36 feet to 45 feet, south of the Crittenden Boulevard intersection for approximately 150 feet, as a part of the Lattimore Road/Kendrick Road Improvement Project.

Section 2. Such change and additional changes as a part of the Lattimore Road/Kendrick Road Improvement Project shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. The Council hereby approves the acceptance of a thirty-year easement across the following parcel from the current owner, the University of Rochester, to construct and maintain a public trail and to provide access to the trail:

Address	SBL No.	Area (Sq. Ft.)

245 Elmwood Avenue 135.590.0001-003 138.3

Section 4. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

Ordinance No. 2001-241
(Int. No. 244)

Establishing Maximum Compensation For An Agreement For Resident Project Representation Services For The Lattimore Road/Kendrick Road Improvement Project

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

Section 1. The sum of \$215,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Passero Associates, P.C. for resident project representation services related to the Lattimore Road/Kendrick Road Improvement Project. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the Project. Of said amount, \$6,400 shall be funded from Local Improvement Ordinance No. 1479 and \$208,600 shall be funded from the 1999- 2000 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-242
Re: Pavement Width Change - Meigs
Street

Transmitted herewith for your approval is legislation authorizing an increase of eight feet, from 29' to 37', in the pavement width of Meigs Street, from a point 101' south of East Avenue for a distance of 52'.

The increase was requested by the owner of the adjacent property, the Third Presbyterian Church, to provide for a recessed pick-up/drop-off zone. The Church will construct the recessed area at its own expense. Construction will begin in July and be completed in August.

The Traffic Control Board endorsed the increase on June 5, with the requirement that a "No Parking" zone be established within the recessed area. A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-81

Ordinance No. 2001-242
(Int. No. 256)

Authorizing An Increase In The Pavement Width Of Meigs Street For A Recessed Pick-Up/Drop-Off Bus Stop Zone

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

Section 1. The Council hereby approves an increase of 8 feet in the pavement width of Meigs Street, from 29 feet to 37 feet, beginning at a point approximately 101 feet south of East Avenue and extending southward for approximately 52 feet for a pick-up/drop-off bus stop zone at 4 Meigs Street.

Section 2. Such change 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 Douglas
July 17, 2001

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 245 - Establishing Maximum Compensation For A Professional Services Agreement With Hamilton Associates For Psychological Evaluation Services

Int. No. 246 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$181,500 Bonds Of Said City To Finance Improvements To The Lewis And Scio Park Playground Owned By The City

Int. No. 247 - Establishing \$15,800 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Lewis And Scio Park Playground Improvements Project

Int. No. 255 - Establishing \$37,700 As Maximum Compensation For A Professional Services Agreement For A Fire Station Location Study

Int. No. 257 - Amending The 2001-02 Budget With Respect To The Rochester Police Department

Int. No. 267 - Authorizing Amendatory Agreements With Respect To Teen Pregnancy Prevention

Int. No. 268 - Establishing \$51,550 As Maximum Annual Compensation For A Professional Services Agreement For The Officer Assistance Program

Int. No. 269 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Project Management Services For The New Public Safety Building

Int. No. 270 - Establishing Maximum Compensation For A Professional Services Agreement For Move Management Services For The New Public Safety Building

Int. No. 271 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For The New Public Safety Building Project

Respectfully submitted,

Benjamin L. Douglas
Robert J. Stevenson
Tony M. Thompson

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-243
Re: Agreement - Hamilton Associates,
Police Psychological/Psychiatric
Evaluations

Transmitted herewith for your approval is legislation authorizing an agreement with Hamilton Associates, of Fairport, for the continued provision of psychological and psychiatric evaluations. The maximum annual cost of the agreement will be \$76,000, which will be financed from the annual budgets of the Police Department.

Hamilton has conducted such evaluations for the City since 1996. The most recent agreement for these services was authorized by the City Council on January 16; an amendatory agreement was authorized on March 20.

The current agreement with Hamilton expires on June 30. Accordingly, proposals for evaluation services beyond that date were solicited from five organizations.

Two proposals were received. Hamilton is recommended because of its past performance.

Under the proposed agreement, for each police officer recruit, Hamilton will...

1. Administer and interpret the following psychological instruments:

Inwald Personality Inventory
Minnesota Multiphasic Personality Inventory

2. Conduct a structured clinical interview;
3. Prepare a written report concerning the recruit's likely mental fitness to perform law enforcement functions;
4. As requested, discuss the evaluation with appropriate City personnel and the Civil Service Commission; and
5. As required, provide expert testimony in any relevant court proceedings.

The agreement will have an initial term of two years with provision for renewal for an additional two year period.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-243
(Int. No. 245)

Establishing Maximum Compensation For A Professional Services Agreement With Hamilton Associates For Psychological Evaluation Services

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

Section 1. The sum of \$76,900, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and Hamilton Associates for psychological and psychiatric evaluation of police officer candidates and police officers. The agreement shall extend for two years. Said amounts shall be funded from the 2001-02 and 2002-03 Budgets of the Rochester Police Department, contingent upon approval of the latter budget. The agreement may contain a two-year renewal option, with the amounts not to exceed the sums set forth in the annual budgets of the Rochester Police Department for said purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-244 and
Ordinance No. 2001-245
Re: Bond - Lewis/Scio Street Playground

Transmitted herewith for your approval is legislation relating to improvements at the Lewis/Scio Street Playground. This legislation will:

1. Authorize the issuance of bonds totaling \$181,500 and appropriate the proceeds thereof to finance the cost of the improvements; and
2. Authorize an agreement with The Sear-Brown Group, 85 Metro Park, for resident project representation services, at a maximum cost of \$15,800, which will be financed from the aforementioned bond issue.

The improvements were designed by the Bureau of Architecture and Engineering. They include reconstruction of the basketball courts; installation of new playground apparatus, walkways, fencing, benches, and trash receptacles; and landscaping.

Bids for the construction of the improvements were received on May 29. The work will be performed by Bedrock Construction, Inc. at a cost of \$157,750; an additional \$7,950 (5%) will be allocated for contingencies.

Construction of the project is expected to begin and be completed in August. Sear-Brown is recommended to provide inspection services because of the qualifications of the personnel to be assigned to the project and its ability to provide the required services within the time period specified by the City.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-244
(Int. No. 246)

**Bond Ordinance Of The City of Rochester,
New York, Authorizing The Issuance Of \$181,500
Bonds Of Said City To Finance Improvements To
The Lewis And Scio Park Playground Owned By
The City**

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 improvements to the Lewis and Scio Park Playground owned by the City. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$181,500, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$181,500 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$181,500 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 \$181,500. 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 the Ordinance, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years.

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

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2001-245
(Int. No. 247)

Establishing \$15,800 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The Lewis And Scio Park Playground Improvements Project

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

Section 1. The sum of \$15,800, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Sear Brown Group for resident project representation services for the Lewis and Scio Park Playground Improvements Project. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the Project. Said amount shall be funded from a Bond Ordinance for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-246
Re: Agreement - MMA Consulting Group,
Fire Station Location Review

Transmitted herewith for your approval is legislation authorizing an agreement with MMA Consulting Group, Inc., of Boston, for a review of the location of

fire stations. The maximum cost of this agreement will be \$37,700, which will be financed from the 2000-01 budget of the Fire Department.

The department has 16 fire stations, most of which were constructed many years ago. Several of the facilities are now inadequate in size or require extensive renovation.

It has been recommended that, before expending significant amounts for renovation, the City review the location of the stations to determine whether alternative locations would provide improved service. Proposals for such a review were solicited through the Internet.

Two proposals were received. MMA is recommended because of comparative costs and its extensive experience. It has conducted similar reviews in Providence, Rhode Island; Evansville, Indiana; Seekonk, Massachusetts; Derry, New Hampshire; and Sioux City, Iowa, among others.

The other proposal was submitted by a local organization. However, this proposal had a higher cost and the persons to be assigned to the project had less experience.

Under the agreement, MMA will...

1. Review applicable materials and interview appropriate officials,
2. Conduct site investigations,
3. Determine response capability,
4. Analyze the effect upon response capability of alternative locations, through computer mapping, and
5. Prepare and present a report containing conclusions and recommendations.

The review is expected to be completed within 16 weeks.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-246
(Int. No. 255)

Establishing \$37,700 As Maximum Compensation For A Professional Services Agreement For A Fire Station Location Study

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

Section 1. The sum of \$37,700, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and MMA Consulting Group, Inc. for a fire station location study. Said amount shall be funded from the 2000-01 Budget of the Fire Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-247
Re: Budget Amendment - Police Department

Transmitted herewith for your approval is legislation increasing the 2001-02 budget of the Police Department by \$209,000 to reflect the "carry-over" of unexpended balances of five grant programs.

<u>Program</u>	<u>Original Grant</u>	<u>Unexpended Balance</u>
Firearm Suppression Task Force	\$116,000	\$30,000
Firearm Suppression - Carnegie Mellon	101,069	41,500
Operation Clean Spot	40,000	20,000
Motor Vehicle Theft and Insurance Fraud	240,100	58,000
Juvenile Restorative Justice	159,000	59,500

The firearm suppression task force consists of personnel from the Police Department, Federal Bureau of Investigation, Immigration and Naturalization Service, Bureau of Alcohol, Tobacco and Firearms and NY State Police. Among the objectives of the task force are to...

1. Cooperate in a comprehensive law enforcement effort to disrupt illicit gun trafficking in the area;
2. Conduct appropriate law enforcement operations and engage in traditional methods of investigation that result in effective prosecutions;
3. Gather intelligence relating to trafficking in illegal weapons;
4. Trace all firearms purchased, seized or recovered through the Bureau of Alcohol, Tobacco and Firearms; and
5. Participate in Operation Exile.

The gun suppression grant from Carnegie Mellon University is being used to assist in the reduction of the availability and use of illegal firearms through the development and analysis of data bases. The project is based on a study of firearm markets that was conducted in Pittsburgh.

Operation Clean Spot is an anti-crime initiative in the northeast quadrant of the city. Police presence in the area is enhanced through the following activities:

1. Increased vehicular, bicycle and foot patrols,
2. Intensive open-air market and drug house enforcement efforts, including reverse sting operations,
3. Identification and arrest of repeat offenders,
4. Increased recruitment of community volunteers for such activities as PAC TAC and neighborhood watches,
5. Increased involvement of clergy, and
6. Use of temporary field offices.

The motor vehicle and insurance fraud project involves the investigation of "chop-shop" operations, alteration of vehicle identification numbers, sale of stolen vehicles and insurance fraud activities. The grant is financed from a state surcharge on auto insurance premiums.

The juvenile restorative justice program provides juveniles who commit less serious offences with opportunities to meet with their victims to admit their guilt and develop a restitution contract. The acceptance of responsibility and compliance with the contract constitute an alternative to prosecution.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilman Douglas moved to amend Introductory No. 257.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Ordinance No. 2001-247
(Int. No. 257, As Amended)

Amending The 2001-02 Budget With Respect To The Rochester Police Department

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

Section 1. Ordinance No. 2001-215, the 2001-02 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$[209,000] 167,500, which amount is hereby appropriated from grant funds for the following purposes:

Operation Safe Home	\$30,000
[Firearms Suppression	41,500]
Operation Northtown/Clean Spot	20,000
Motor Vehicle Theft & Insurance	
Fraud	58,000
Juvenile Accountability Conferencing/ Restorative Justice	59,500

Section 2. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-248
Re: Teen Pregnancy Prevention Project

Transmitted herewith for your approval is legislation authorizing amendatory agreements with the following organizations to reflect the "carry-over" of unexpended funds for the Teen Pregnancy Prevention Project:

<u>Organization</u>	<u>Original Amount</u>	<u>Change</u>
Girl Scouts of Genesee		

Valley	\$267,117	\$(55,743)
Baden Street Settlement, Inc.		
1997-98 Grant	643,544	(25,000)
2000-01 Grant	569,647	80,743

The project is designed to reduce the rate of teen pregnancy. It is administered by the Monroe Council on Teen Pregnancy and is financed by grants from the U.S. Department of Health and Human Services.

When the project began in 1995, the Girl Scouts served as the administrative agency. In 1997, this responsibility was transferred to Baden Street Settlement.

Under the proposed amendatory agreements, unexpended grant funds from the 1996-97 and 2000-01 program years will be carried over into the current program year. The funds will be allocated to the community projects account.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-82

Ordinance No. 2001-248
(Int. No. 267)

Authorizing Amendatory Agreements With Respect To Teen Pregnancy Prevention

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

Section 1. The Mayor is hereby further authorized to enter into an amendatory agreement with the Baden Street Settlement, Inc. to implement and administer the 2000-01 Community Coalition Partnership Program for the Prevention of Teen Pregnancy. The amendatory agreement shall obligate the City to pay an amount not to exceed \$80,743, and said amount, or so much thereof as may be necessary, is hereby reappropriated from the funds reduced in Sections 2 and 3 hereof to fund the 2000-01 Community Coalition Partnership Program for the Prevention of Teen Pregnancy.

Section 2. The Mayor is hereby further authorized to enter into an amendatory agreement with Baden Street Settlement, Inc. for services as a part of the 1997-98 Community Coalition Partnership Program for the Prevention of Teen Pregnancy. The amendatory agreement shall reduce the amount authorized and appropriated from 1997-98 funds by the sum of \$25,000.

Section 3. The Mayor is hereby further authorized to enter into an amendatory agreement with the Girl Scouts of Genesee Valley for services as a part of the 1996-97 Community Coalition Partnership Program for the Prevention of Teen Pregnancy. The amendatory agreement shall reduce the amount authorized and appropriated from 1996-97 funds by the sum of \$55,743.

Section 4. The amendatory agreements shall contain such additional 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. 2001-249
Re: Agreement - University of Rochester
Medical Center, Officer Assistance
Program

Transmitted herewith for your approval is legislation authorizing a two-year agreement with the University of Rochester Medical Center for continuation of the police officer assistance program. The maximum cost of this agreement will be \$103,100, which will be financed from the 2000-01 and future budgets of the Police Department.

Prior to 1996, stress counseling services for police officers were provided by departmental personnel. Since 1996, such services have been provided by the Department of Psychiatry of the Medical Center. The most recent agreement for such services was authorized by the City Council on February 16, 1999.

During 1999 and 2000, the Medical Center provided 528 counseling sessions and dispatched its mobile crisis team for 34 incidents.

Based upon this performance, the department has recommended that the Medical Center continue to provide counseling services. The fees for the services will remain the same: \$125 per hour for counseling and \$200 per hour for the mobile crisis team.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-249
(Int. No. 268)

Establishing \$51,550 As Maximum Annual Compensation For A Professional Services Agreement For The Officer Assistance Program

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

Section 1. The sum of \$51,550, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and the Department of Psychiatry of the University of Rochester Medical Center for continued administration of the Officer Assistance Program, for a term not to exceed two years. Said amount shall be funded from the 2000-01 and subsequent budgets of the Rochester Police Department, contingent upon approval of subsequent budgets. The agreement may contain a two-year renewal option, with the amounts not to exceed the sums set forth in the annual budgets of the Rochester Police Department for said purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance Nos. 2001-250,
2001-251 and 2001-252
Re: Public Safety Building Project

Transmitted herewith for your approval is legislation authorizing the following agreements or amendatory agreements for various services relating to the Public Safety Building Project.

1. Nancy Burton, 157 S. Fitzhugh Street, for the continued provision of project management services, at a maximum cost of \$89,000;
2. FM Technologies, 4 Commercial Street, for move management services, at a maximum cost of \$50,000; and
3. IBM Corporation, of Southbury, Connecticut, for oversight of implementation of the computer relocation plan, at a maximum cost of \$360,000.

The cost of the agreements will be financed from the proceeds of bond issues previously authorized for the project.

As you are aware, the project involves the construction of a 150,760 square foot building to replace the present Public Safety Building and the current facilities of the Bureau of Information Systems. Design of the building, by Bergmann Associates, was authorized by the City Council on February 16, 1999 and January 18, 2000.

Nancy Burton was the project manager for the City until her retirement on December 30, 2000. To provide continuity after that date, on January 16, 2001, the Council authorized an agreement with Ms. Burton for the continued provision of project management services.

The agreement had a term of four months. It was indicated that, after that period, a determination would be made concerning extension of the agreement.

Under the first proposed agreement, Ms. Burton has...

1. Represented the City at all project management meetings and assisted in the resolution of any construction issues;
2. Assisted in the completion of plans and designs for special use areas within the building, including the command center, police headquarters desk and auditorium;
3. Completed an inventory of furniture to be transferred from existing facilities;
4. Developed a signage plan;
5. Assisted in the development of plans for the installation of utility systems;
6. Assisted in the development of a relocation plan for the computer systems of the Police Department and Bureau of Information Services; and
7. Developed specifications for move management services.

Under the proposed amendatory agreement, Ms. Burton will continue to provide representation services and assistance through completion of the project. If the amendatory agreement is approved, the total cost of the agreement with Ms. Burton will increase to \$127,500.

Proposals for the provision of move management

services were solicited from six firms. Three proposals were received.

FM Technologies is recommended because of its experience. It has assisted in the planning and coordination of the relocation of American Red Cross Blood Services in Henrietta and Xerox Corporation in Webster.

Under the proposed agreement, FM Technologies will:

1. Develop a plan for relocation of existing fixtures, furniture, equipment and other contents of the relevant existing facilities;
2. Oversee the relocation; and
3. Coordinate the aforementioned relocation with the relocation of computer systems.

The agreement with IBM for the development of the relocation plan for the computer systems was authorized by the Council on December 19, 2000. Approximately 735 items of equipment and 120 operating systems will be included in the relocation.

Under the proposed amendatory agreement, IBM will oversee implementation of the relocation plan that was developed. If the amendatory agreement is approved, the total cost of the agreement with IBM will increase to \$710,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-250
(Int. No. 269)

Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Project Management Services For The New Public Safety Building

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

Section 1. The sum of \$89,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Nancy H. Burton, AIA, for project management and consulting services related to the construction of the new Public Safety Building. Said amount shall be funded from Bond Ordinance No. 2000-397.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-251
(Int. No. 270)

Establishing Maximum Compensation For A Professional Services Agreement For Move Management Services For The New Public Safety Building

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

Section 1. The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and FM Technologies for

move management services related to the construction of the new Public Safety Building. Said amount shall be funded from Bond Ordinance No. 2000-397.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-252
(Int. No. 271)

**Establishing Maximum Compensation For An
Amendatory Professional Services Agreement For
The New Public Safety Building Project**

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

Section 1. The sum of \$360,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and IBM Corporation for the relocation of computer rooms and related information systems for the New Public Safety Building Project. Said amount shall be funded from a bond ordinance adopted for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Norwood
July 17, 2001

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 248 - Authorizing The Sale Of Real Estate

Int. No. 249 - Accepting Donation Of Real Estate

Int. No. 250 - Appropriating Funds And Authorizing Agreements For A Garden For The Anthony Square Project

Int. No. 251 - Authorizing An Agreement With Neighborhood Housing Services

Int. No. 252 - Authorizing An Agreement For The Home Store

Int. No. 253 - Appropriating Funds And Authorizing Agreements For CHDO Operating Assistance

Int. No. 254 - Authorizing An Agreement With The Enterprise Foundation For Housing Services

Int. No. 258 - Authorizing The Sale Of The Former Michaels-Stern Building And Lease Of Parking Lots To The City School District, As Amended

Int. No. 266 - Authorizing An Agreement For The 14621 Community Technology Center Project

Int. No. 272 - Resolution Approving Appointment To The Rochester Environmental Commission

Int. No. 273 - Resolution Approving Appointment To The City Planning Commission

Int. No. 274 - Resolution Approving Appointment

To The Zoning Board Of Appeals

Respectfully submitted,
Wade S. Norwood
Benjamin L. Douglas
Nancy K. Griswold
HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-253 and
Ordinance No. 2001-254
Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the sale of 33 properties and acceptance of the donation of one property.

Sales

The first property to be sold, 143 Parkwood Road, will be purchased by its former owner. The sale price includes all delinquent taxes, interest and penalties.

The second property, 1010 N. Goodman Street, contains a two-car garage. The property will be sold to the owner of the adjacent property and combined with that property.

The third property, 66 Leighton Avenue, is considered unbuildable because of its width (35'). It will be sold for \$1.00 to the owner of the adjacent property and combined with that property.

The next 30 properties were included in the public auction of May 14. The purchasers will be required to rehabilitate the properties and obtain Certificates of Occupancy within nine months of the conditional closing.

Donation

The property to be donated, 335 Colvin Street, contains a two-family structure that has been damaged by fire. Following acquisition, the structure will be demolished, at an estimated cost of \$17,500, which includes an allowance of \$10,000 for the removal of asbestos.

The resultant vacant lot, which will contain 2,280 square feet, will be landscaped. The use of the lot as open space will complement the planned improvements by the State of New York to the Colvin Street pedestrian bridge. These improvements include the installation of new, wider sidewalks; new fencing and lighting; and landscaping.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-83

Ordinance No. 2001-253
(Int. No. 248)

Authorizing The Sale Of Real Estate

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

Section 1. The Council hereby approves the sale

of the following parcel of improved property to the former owner:

Address	Price	Purchaser
S.B.L.#		
143 Parkwood Rd 075.65-2-63	\$5,787.78	Anthony Pezzulo

Section 2. The Council hereby further approves the negotiated sale of the following parcel of improved property:

Address	Price	Purchaser
S.B.L.#		
1010 Goodman St N. 107.37-1-41	\$3,300	Kim Coco

Section 3. The Council hereby further approves the negotiated sale of the following parcel of unbuildable vacant land for the sum of \$1.00:

Address	Sq. Ft.	Purchaser
S.B.L.#		
66 Leighton Ave 107.78-1-43 Jr.	4,830	Robert William Snyder,

Section 4. The Council hereby further approves the sale of the following parcels of real estate by regular auction:

Address	S.B.L.#	Price
Legal Use	Purchaser	
400 Ames St 1 Family	105.81-3-38 Ronald Stebbins	\$3,200
429-431 Avenue A 3 Family	106.22-3-22 Levonua Bess	400
532 Avenue D 1 Family	91.79-4-27 Ricardo Martinez	1,000
205 Bay St 2 Family	106.51-1-5 Mary Thomas	1,200
713 Broad St W 1 Family	105.84-1-22 Sinh Van Tran	3,500
119-119.5 Cady St 2 Family	120.60-2-10 Osley Porter	3,100
405 Child St 2 Family	105.82-1-38 Ronald Stebbins	3,800
270 Clifford Av 2 Family	106.30-4-63 Jurden Alexander	1,800
1343 Clinton Av N 2 Family	91.70-2-18 Orlando Moore	800
35 Conkey Av 1 Family	106.37-2-25 Shoan E. Ponder	800
382 First St 1 Family	106.35-2-39 Charles J. Carvana, III	1,000
240 Fourth St 2 Family	106.59-2-17 Loran Wade	1,100
330 Fourth St 2 Family	106.51-3-12 George Ellis	600
481 Garson Av 1 Family	107.61-3-25 Elliott Hioe	5,000
11-13 Galusha St 1 Family	106.46-3-24 William Burgess	500
22 Gilmore St 1 Family	106.40-4-16 Schulunda Imes	1,000
77 Hollister St 1 Family	106.34-3-16 Michael Mayer	400
85 Joseph Pl 1 Family	91.80-1-53 Dean Gray	1,000
98 Lime St 1 Family	105.74-2-52 Soung Vo	5,000

134 Mason St 1 Family	90.82-3-81 Jamella & Audrey Wynn	1,500
618 North St 1 Family	106.49-2-74 Orlando Moore	400
101 Ontario St 2 Family	106.66-2-55 Janice Elms	800
6 Stanley St 1 Family	121.69-4-22 Sasha Massachi	4,800
27 Treyer St 1 Family	106.30-1-18 Suong Vo	1,300
170 Union St N 2 Family	106.74-2-84 Sasha Massachi	10,000
32 Walnut St 1 Family	105.83-3-61 Eugene Izzard & James Mosley	1,000
308 Weaver St 1 Family	91.72-2-57 Stephanie Snowden	3,600
1 Webster Cres 1 Family	106.60-3-58 Adrianna Harris	4,700
334 Wilkins St 1 Family	106.24-1-57 Mia Slone-Davis	1,600
370 Wilkins St 2 Family	106.25-1-15 Shari Sprague	6,600

Section 5. City taxes and other City charges, except water charges, against said properties are hereby cancelled 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 6. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-254
(Int. No. 249)

Accepting Donation Of Real Estate

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

Section 1. The Council hereby approves the acceptance of the donation of 335 Colvin Street, SBL #120.25-1-50, from the current owners, Marjorie and Millard Raby.

Section 2. Upon acquisition by the City, City taxes and other charges against said parcel shall be canceled. Any taxes levied after the date of closing, while the City still owns the parcel, shall also be canceled. Said parcel shall be accepted free and clear of any other outstanding liens or encumbrances.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-255
Re: Anthony Square Neighborhood
Beautification

Transmitted herewith for your approval is legislation relating to the Anthony Square Neighborhood Beautification Project. This legislation will:

1. Appropriate an additional \$7,000 for the project from the Housing Stock and General Property Conditions of the 2001-02 Community Development Block Grant; and

2. Authorize any agreements or amendatory agreements required for the project.

The project involves the creation of a rock and flower garden at 4 Clifton Street and 41 Prospect Street, which are City vacant lots adjacent to the Anthony Square housing development. On June 20, 2000, the City Council appropriated \$10,000 from the CDBG to partially finance the costs of the project; an additional \$2,000 grant was provided by the Rochester Area Community Foundation.

The proposed legislation will provide supplemental funds for the project, which will be completed by the Sector 4 Community Development Corporation. Upon completion the garden will be maintained by Housing Opportunities, Inc., which owns and operates the rental units in Anthony Square.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-255
(Int. No. 250)

Appropriating Funds And Authorizing Agreements For A Garden For The Anthony Square Project

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

Section 1. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program the sum of \$7,000, or so much thereof as may be necessary, to fund the completion of a rock and flower garden at 4 Clifton Street and 41 Prospect Street as a part of the Anthony Square Project.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement this Project.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-256
Re: Agreement - Neighborhood Housing Services, Housing Program Agreements

Transmitted herewith for your approval is legislation authorizing agreements with Neighborhood Housing Services of Rochester, 570 South Avenue, for continued operation of the Revolving Loan Fund Program and the continued provision of home buyer education services. The total cost of these agreements will be \$225,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2001-02 Community Development Block Grant.

The loan program was initiated in the Edgerton neighborhood area in 1980, expanded to the primary target area in 1988, and made available city-wide in 1995. It is designed to permit homeowners with an excessive

debt-to-income ratio, inadequate credit or employment history to obtain a rehabilitation loan.

NHS has administered the program since its inception. The most recent agreement for such administration was authorized by the City Council on June 20, 2000.

From July 1, 2000 to June 7, 2001, 23 loans totaling \$235,271 were made. Fifty loans were projected from 2000-01.

Under the first proposed agreement, NHS will originate 40 new rehabilitation loans during 2001-02 for an administrative fee of \$75,000. NHS will be responsible for:

1. Promoting the program;
2. For each loan: determining the eligibility of the property owners, inspecting the property, estimating the costs of rehabilitation, reviewing insurance needs, providing financial counseling, arranging loan packaging, preparing work specification, soliciting bids, providing construction management and servicing the loan;
3. Selling approved loans on the secondary market, if appropriate;
4. Resolving delinquencies through counseling, restructuring, or the collection of liens; and
5. Administering the program and soliciting additional funds for it.

The City will provide an additional \$75,000 for capitalization of the program. The most recent previous capitalization was authorized by the City Council on June 15, 1993.

The new capitalization will permit the origination of approximately eight new loans. NHS will provide an additional \$200,000 through the sale of loans on the secondary market.

Under the second proposed agreement, NHS will continue to provide homebuyer education to purchasers who receive financial assistance under the Purchase Assistance Programs.

Training Focus

	No. of Sessions Planned 2001-02	No. of Sessions 2000-01	No. of Households Participating Thru 5/31/01
<u>Pre-Purchase</u>			
Fast Track to Home Ownership 8 hours	12	12	383
Home Buyers Club 16 hours (Eight sessions)	6	6	175
<u>Post-purchase</u>			
Making Your House Your Home 3 Hours	4	4	107
Best on the Block - Spring 3 Hours	2	2	77
Best on the Block - Fall 3 Hours	2	2	57

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-84

Ordinance No. 2001-256
(Int. No. 251)

Authorizing An Agreement With Neighborhood Housing Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Neighborhood Housing Services of Rochester for the continued operation and capitalization of the Revolving Loan Fund Program and the continued provision of homebuyer education.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$225,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program.

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. 2001-257
Re: Agreement - Urban League of Rochester Economic Development Corporation, Home Store

Transmitted herewith for your approval is legislation authorizing an agreement with the Urban League of Rochester Economic Development Corporation, 304 Andrews Street, for continued operation of the Home Store. The maximum amount of this agreement will be \$265,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2001-02 Community Development Block Grant.

The Home Store, which opened in February, 1994, provides a central and accessible location at which prospective home buyers can obtain information, financial counseling and assistance, pre- and post-purchase counseling relating to home ownership. These services are provided in the evenings and weekends, as well as during the week.

The Urban League has operated the Home Store since its inception. The most recent agreement for such operation was authorized by the City Council on June 20, 2000.

Following is a summary of the performance of the Urban League under this agreement through April 30, 2001 and the projected performance for 2001-02:

Service

2000-01 Planned	2000-01 Actual	2001-02 Projected

Home Rochester/Rehabilitation Programs Cases	60	30	60
Home Expo/New Construction Cases	51	23	51
Home Purchase Assistance Program Cases	100	172	133
HOOP/Sealed Bid Sales	85	68	85
Homestead Lottery	15	18	15
Phone screening and referral	5,000	4,120	5,000
Seminars:			
Number	40	48	40
Participants	4,000	1,995	2,000

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-257
(Int. No. 252)

Authorizing An Agreement For The Home Store

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Urban League of Rochester Economic Development Corporation for the continued operation of the Home Store.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$265,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program.

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. 2001-258
Re: Agreements - Community Housing Development Organizations

Transmitted herewith for your approval is legislation authorizing agreements with those non-profit organizations that have been designated as Community Housing Development Organizations. The total maximum cost of the agreements will be \$196,150, which will be financed from the 2001 HOME program.

Under the federal regulations for the HOME program, at least 15% of a municipality's annual allocation must be used for development of affordable housing by non-profit agencies that are designated as CHDOs. The City is also permitted to appropriate an additional 5% of its allocation to assist CHDOs with their operating costs.

Under the proposed agreements, additional funds will be provided to finance the costs of any of the 12 organizations that are currently designated as CHDOs.

The funds will be distributed based on need, capacity and performance.

The most recent prior appropriation was approved by the City Council on January 16.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-85

Ordinance No. 2001-258
(Int. No. 253)

Appropriating Funds And Authorizing Agreements For CHDO Operating Assistance

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

Section 1. There is hereby appropriated from the 2001 Home Program funds the sum of \$136,150, or so much thereof as may be necessary, to fund the operating expenses of designated Community Housing Development Organizations (CHDOs).

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary with designated CHDOs for use of these funds.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Stevenson, Thompson - 8.

Nays - None - 0.

Councilwoman Santiago abstained vote because she is an employee of one of the affiliating agencies.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-259
Re: Agreement - The Enterprise
Foundation, Housing Development

Transmitted herewith for your approval is legislation authorizing an agreement with The Enterprise Foundation, 183 E. Main Street, for the continued provision of technical assistance relating to housing and community development activities. The maximum cost of this agreement will be \$75,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2001-02 Community Development Block Grant.

Enterprise, which was established in 1982 by philanthropists James and Patricia Rouse, is a national non-profit housing and community development organization. Its mission is to assist people in obtaining affordable housing and jobs.

Enterprise established an office in Rochester in 1997. In conjunction with the City, Citibank, Daisy Marquis Jones Foundation, United Way of Greater Rochester, and Chase Manhattan Bank, it formed the Rochester Community Development Collaborative.

RCDC has received commitments of \$4.3 million in grants and loans for operating assistance and capital awards to community development corporations. It has provided \$150,000 in grants to each of the following:

1. North East Neighborhood Alliance
2. Ibero-American Development Corporation
3. Northwest Community Services
4. North East Area Development

The initial agreement with Enterprise was authorized by the City Council on July 18, 2000. Under this agreement, Enterprise provided technical assistance to the aforementioned agencies and assisted the Department of Community Development in the formation of the Housing Development Fund Corporation and in planning housing development initiatives along the Genesee River.

Under the proposed agreement, Enterprise will...

1. Continue to administer the RCDC program and provide technical assistance to the four agencies; and
2. Provide technical assistance to:
 - a. Rochester Housing Development Fund Corporation,
 - b. Non-profit housing developers that are involved with projects in conjunction with the corporation,
 - c. Southwest Community Development Collaborative, and
 - d. City

The cost of the proposed agreement is \$25,000 more than the cost of the current agreement.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilman Norwood moved to amend Introductory No. 254.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Ordinance No. 2001-259
(Int. No. 254, As Amended)

Authorizing An Agreement With The Enterprise Foundation For Housing Services And Amending Ordinance No. 99-228

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

Section 1. The Mayor is hereby authorized to enter into an agreement with The Enterprise Foundation for technical assistance relating to housing and community development activities.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$75,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions

Allocation of the 2001-02 Community Development Program.

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

Section 4. Ordinance No. 99-228, relating to Section 108 and Brownfields funding for the Germanow-Simon and Tel-Tru Project at 408 St. Paul Street, is hereby amended by decreasing the amount of the Section 108 Business Loan to \$2,000,000 and the amount of the Brownfields Program funding to \$500,000, and by authorizing the funding to be provided to Germanow-Simon Corporation, Tel-Tru, Inc. and Germanow-Simon Supplies, Inc.

Section 5. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-260
Re: Real Estate Transactions -
Redevelopment of 87 N. Clinton Avenue

Transmitted herewith for your approval is legislation approving various real estate transactions relating to the redevelopment of 87 N. Clinton Avenue.

87 N. Clinton Avenue contains the former Michaels-Stern building. The City acquired this property in 1994 through tax foreclosure.

The building contains approximately 127,500 square feet of space on seven floors. The purchaser, 87 N. Clinton LLC (principal: Laurence Glazer), will renovate the building for commercial, office and residential use.

Floor Use

- 1 Catholic Family Center and restaurant
- 2-3 Catholic Family Center
- 4 Reserved for possible expansion by Catholic Family Center
- 5-7 Loft living units (approximately 60)

Catholic Family Center will relocate its offices from the Sibley building.

The purchase price, \$10,000, was negotiated. It is estimated that the cost of renovation will exceed \$5,000,000.

Parking for tenants of the building will be provided in the surface lots at 97 N. Clinton Avenue, 172 and 180 Pleasant Street and 223-231 Andrews Street, the acquisition of which was authorized by the City Council on March 20. The lots, which contain 151 spaces, will be leased to the City School District for \$1.00 for use by staff of and visitors to the adjacent Student Tutoring Center, which is located at 107-111 N. Clinton Avenue.

The lease will have a minimum term of four years. Thereafter, if the lots are required for development purposes, the City will be required to provide the District with 18 months notice of its intent to terminate the lease.

It is expected that the District will utilize 65 of the spaces. Of the remaining spaces, it will be required to sub-lease up to 60 spaces to 87 N. Clinton Avenue LLC.

The City will provide an option to 87 N. Clinton Avenue LLC for purchase, after the lease with the District expires or is terminated, of that portion of the lots that is reserved for use by its building tenants. The purchase price will be \$202,500, adjusted by the consumer price index for the appropriate period.

87 N. Clinton Avenue LLC will be entitled to a credit for the sub-lease payments made to the District until the purchase occurs. The credit will be adjusted for an estimated return on investment resulting from the retention and use of the funds (\$202,500) that would otherwise be expended if the purchase was able to occur immediately.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-86

Ordinance No. 2001-260
(Int. No. 258, As Amended)

Authorizing The Sale Of The Former Michaels-Stern Building And Lease Of Parking Lots To The City School District

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

Section 1. The Council hereby approves the sale of the former Michaels-Stern Building at 87 North Clinton Avenue to [87 N. Clinton LLC] 87 North Clinton, LLC for the sum of \$10,000. The City shall further provide an option to [87 N. Clinton LLC] 87 North Clinton, LLC to purchase a portion of the nearby City-owned parking lots to be leased to the City School District. The option shall not exceed sixty spaces for use by the building's residential tenants. The option shall be coterminous with the City School District parking lease, and extend sixty days from a City notice delineating the option parcel and setting the purchase price. The purchase price shall be \$11.25 per square foot, as adjusted for changes in the consumer price index, with [87 N. Clinton LLC] 87 North Clinton, LLC being allowed a credit in the amount of \$13.88 for each living unit for each month elapsed between receipt of a certificate of occupancy and the City notice.

Section 2. City taxes and other City charges, except water charges, against said property are hereby cancelled up to the day of closing for the reason that the City has agreed to convey said property free of City tax liens and other charges.

Section 3. The Council further approves the lease of the parking lots at 97 North Clinton Avenue, 172 and 180 Pleasant Street and 223-231 Andrews Street to the City School District for the sum of \$1.00. The lease shall be for a minimum of four years and shall be coterminous with the City School District occupancy of 107-111 North Clinton Avenue. The City School District shall sublease a portion of the parking lots to [87 N. Clinton LLC] 87 North Clinton, LLC for parking for the tenants of the former Michaels-Stern Building.

Section 4. This ordinance shall take effect im-

mediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-261
Re: Agreement - Group 14621 Community
Association, Inc., Community Technol-
ogy
Center

Transmitted herewith for your approval is legislation authorizing an agreement with Group 14621 Community Association, Inc., to partially finance the costs of the 14621 Community Technology Center. The maximum cost of this agreement will be \$60,000, which will be financed from the General Community Needs allocation of the 2001-02 Community Development Block Grant.

The Technology Center will provide a location for area residents, who otherwise do not have access to computers, to utilize computers and to obtain basic computer training. The residents to be "targeted" are youth, senior citizens and persons seeking employment.

Training and assistance will be provided by both paid staff and volunteers. It is expected that 250 residents will participate in the training and that an additional 250 residents will utilize the computers. The project will be coordinated with the Kid-Tech and BizKids programs.

The project is considered a project with matching funds and, as such, is eligible for up to five years of financing under the human services funding guidelines. The proposed agreement represents the first year of funding.

A project description and budget are attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-87

Ordinance No. 2001-261
(Int. No. 266)

Authorizing An Agreement For The 14621 Community Technology Center Project

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Group 14621 Community Association, Inc. for the 14621 Community Technology Center Project.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$60,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs allocation of the 2001-02 Community Development Program.

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:

Resolution No. 2001-8
Re: Appointment - Rochester
Environmental Commission

Transmitted herewith for your approval is legislation confirming the appointment of Molly Autumn Doyle, 517 University Avenue, to the Rochester Environmental Commission.

Ms. Doyle will replace Richard Shearman, whose term expired. Her term will extend through July 31, 2004.

A copy of Ms. Doyle's resume is on file in the Office of the City Clerk.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Resolution No. 2001-8
(Int. No. 272)

Resolution Approving Appointment To The Rochester Environmental Commission

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

Section 1. The Council hereby approves the appointment of Molly Autumn Doyle, 517 University Avenue, to the Rochester Environmental Commission for a term which shall expire on July 31, 2004. Ms. Doyle will replace Richard Shearman, whose term has expired.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Resolution No. 2001-9
Re: Appointment - City Planning Commission

Transmitted herewith for your approval is legislation confirming the appointment of Louis Pleninger, 62 Brighton Street, to the City Planning Commission.

Mr. Pleninger will replace William McDonald, whose term has expired and who, under section 115-16.A.(1) of the City Code, is ineligible for reappointment.

A copy of Mr. Pleninger's resume is on file in the Office of the City Clerk.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Resolution No. 2001-9
(Int. No. 273)

Resolution Approving Appointment To The City Planning Commission

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

Section 1. The Council hereby approves the appointment of Louis Pleninger, 62 Brighton Street, to the City Planning Commission for a term which shall expire on July 31, 2004. Mr. Pleninger will replace William McDonald, whose term has expired.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Resolution No. 2001-10
Re: Appointment - Zoning Board of Appeals

Transmitted herewith for your approval is legislation confirming the appointment of James Best, 55 Gorsline Street, to the Zoning Board of Appeals.

Mr. Best will replace Maurice Verrillo, whose term expired and who, under section 115-15.A.(1) of the City Code, was ineligible for reappointment. His term will extend through July 31, 2004.

A copy of Mr. Best's resume is on file in the Office of the City Clerk.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Resolution No. 2001-10
(Int. No. 274)

Resolution Approving Appointment To The Zoning Board Of Appeals

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

Section 1. The Council hereby approves the appointment of James Best, 55 Gorsline Street, to the Zoning Board of Appeals for a term which shall expire on July 31, 2004. Mr. Best will replace Maurice Verrillo, whose term has expired.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 8:37 P.M.

CAROLEE A. CONKLIN
City Clerk

* * * * *

REGULAR MEETING
August 21, 2001

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - none - 0.

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.

APPROVAL OF THE MINUTES
By Councilmember Thompson

RESOLVED, that the minutes of the Public Hearing of June 13, 2001, Regular Meeting of June 19, 2001, and Special Meeting of June 28, 2001, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Administrative Cancellation or Refund of Erroneous Taxes and Charges. 3674-7

Quarterly Reports. 3675-7

THE COUNCIL PRESIDENT - PRESENTATION
AND REFERENCE OF PETITIONS AND REMONSTRANCES.

By Councilman Curran - 27 signatures from residents of Post Avenue and Enterprise Street of concern about the deteriorating condition of the property at 579 Post Avenue. Petition No. 5091

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Authorizing Amendatory 1995-96 And 1996-97 Community Development Program Plans And An Agreement For The Central Park Cafe And Amending Ordinances No. 95-399 And 96-190 Int. No. 299 One speaker: Delain Cook Green.

Changing The Zoning Classification Of 893 North Goodman Street From R-2 Two-Family Residential To C-1 Neighborhood Commercial Int. No. 300 Two speakers: Paul Camp and Bruce Stanto.

Changing The Zoning Classification Of 299-341 Whitney Street And 1 LaSalle Street From M Manufacturing Industrial To R-2 Two-Family Residential Int. No. 301 One speaker: Pastor Peterson.

Authorizing Amendatory 1995-96, 1996-97 And 1997-98 Community Development Program Plans And Appropriating Funds For The Business Association Support Program And Amending Ordinance No. 97-222 Int. No. 309 No speakers.

Authorizing An Amendatory 1995-96 Community Development Program Plan And Appropriating Funds For The Neighbors Shopping Neighborhoods Program Int. No. 310 No speakers.

Amending The Development Concept Plan For The Rochester Science Park, MIPD District #2, To Allow Biotechnology Uses Int. No. 304 No speakers.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:
Ladies and Gentlemen:

Introductory No. 328
Re: Agreement - CATS, Fast
Ferry Service

Transmitted herewith for your approval is legislation authorizing an agreement with Canadian American Transportation Systems LLC, of Rochester, for operation of a fast ferry service between Rochester and Toronto and lease and management of property at the Port of Rochester.

As you are aware, the implementation of a fast ferry service between Rochester and Toronto is one element of the Port of Rochester Improvement Project. In April, 2000, statements of interest and qualifications for the provision of such service were solicited through public advertisement jointly by the City, Monroe County, City of Toronto and Port of Toronto.

Four statements were received. In December, 2000, operational proposals were solicited from each of the responding organizations. One proposal, from CATS, was received.

Under the proposed agreement...

1. The City will provide CATS with exclusive rights to operate a fast ferry service from Rochester to Toronto;
2. CATS will be prohibited from operating such service from any other United States location on Lake Ontario;
3. The City will construct a ferry terminal, immigration and customs facilities and such other improvements as required for the fast ferry service;
4. The City will lease the terminal, facilities and other improvements to CATS for \$1.00 annually;
5. CATS will be responsible for the construction of any subsequent alteration of the facilities or additional improvements, subject to the prior approval of the City;
6. CATS will be responsible for all costs of operation and maintenance, including structural repairs to the buildings, and will retain all revenues associated with such operation;
7. CATS will be further responsible for management of the port, including docking and mooring by other cruise and excursion vessels;
8. CATS will be provided the naming rights for the ferry vessel(s) and terminal and will retain any revenues derived from advertising within the port area; and
9. The City will retain responsibility for maintenance of the quay wall and public roads within the port area, as well as dredging.

The City will not be required to begin construction of the improvements related to the operation of the ferry service until CATS submits a binding order for one or more vessels. The City will have 14 months from such submission to complete construction of an operational facility.

Initially, the service will include at least three round trips daily by one vessel. Subsequently, the service will be expanded to include at least six round trips daily by two vessels.

The license to operate a ferry service will have an initial term of five years with provisions for renewal by CATS for seven additional five-year periods. The lease and port management components of the agreement will have a term of 40 years. Any default on the provisions of either the license, lease and management components will represent a default on the provisions of the other components.

Copies of the operating plan of CATS are available for review in the office of the City Clerk.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Introductory No. 328

**AUTHORIZING AN AGREEMENT FOR A
FAST FERRY SERVICE TO TORONTO, LEASE
OF THE TERMINAL BUILDING AND MAN-
AGEMENT OF THE PORT OF ROCHESTER**

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, which is on file in the Office of the City Clerk, with the Canadian American Transportation System, LLC (CATS), whereby the City will grant to CATS the exclusive right and license to establish a privately owned and operated fast ferry service between the Port of Rochester and the Port of Toronto for eight five-year periods, lease to CATS the Port of Rochester Terminal for forty years, and grant CATS the exclusive right and authority for management of the Port of Rochester for forty years. A default on any one portion of the agreement shall constitute a default on all portions. The agreement shall be contingent upon CATS obtaining any necessary private and public financing and placing an order for a fast ferry to service the Rochester-Toronto route. The lease shall include the real property commonly known as the North Warehouse, together with all appurtenances, rights of egress and ingress thereto and improvements and extensions of the North Warehouse and any new buildings constructed for the purpose of a terminal, and CATS shall have the exclusive lease and use of certain docking berths on what is commonly known as the quay wall, located at the Port of Rochester. CATS will have the right to sell any advertising at the Port, lease space in the terminal to subtenants, and sell the naming rights to the terminal and public access areas at the Port. The City shall be responsible for the construction of the quay wall and the demolition of the South Warehouse located at the Port of Rochester, making improvements to the leased premises, including the North Warehouse, for use as a ferry terminal and for United States Federal and Canadian Federal offices required for the fast ferry service. The City shall also be responsible for dredging to ensure the vessel entrance channels are kept to the agreed depths, installation and maintenance of berthing facilities (excluding transient marina docks), piers, quay wall, foundation for the terminal building, and fresh water supply.

Section 2. This ordinance shall take effect immediately.

Item tabled for a special meeting.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson
August 21, 2001

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 281 - Acceptance Of Permanent Easements For The University Avenue ArtWalk Project

Int. No. 282 - Establishing Maximum Compensation For An Amendatory Agreement For Design Services For The Elmwood Avenue Bridge Rehabilitation Project And Appropriating Funds

Int. No. 283 - Amending The Legal Description Of The Abandonment Of A Portion Of Industrial Street

Int. No. 284 - Authorizing Extension Of Time For

The Abandonment Of Streets In The Kodak Park Area

Int. No. 308 - Establishing \$72,000 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services And Appropriating Anticipated Reimbursements From The Federal Highway Administration

Int. No. 314 - Establishing Maximum Compensation For Professional Services Agreements For Planning And Engineering Services For Street Improvement Projects

Int. No. 321 - Establishing \$133,500 As Maximum Compensation For A Professional Services Agreement With The Sear Brown Group For Environmental Remediation Of The Former APCO General Contractor's Site

Int. No. 322 - Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$34,000 Bonds Of Said City To Finance The Additional Cost Of Planning And Implementing Environmental Remediation Design And Interim Clean-Up At The Former APCO Site Located Within The City At 79 Woodstock Road

Int. No. 323 - Authorizing Applications And Agreements For Grant Funds

Respectfully submitted,
Robert J. Stevenson
Brian F. Curran
Tony M. Thompson
Gladys Santiago
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-262
Re: Easements - University Avenue
ArtWalk Project

Transmitted herewith for your approval is legislation authorizing the acceptance of five easements required for the University Avenue ArtWalk Project.

The project includes sidewalk enhancements along University Avenue between George Eastman House and N. Goodman Street. The enhancements include eight feet wide colored concrete sidewalks with a braided pattern and artistic designs stamped on one-foot borders.

Preliminary design of the ArtWalk, by Bergmann Associates, was authorized by the City Council on June 20, 2000. Final design was authorized on February 13, 2001.

The proposed easements are required for construction of the ArtWalk. They will be donated by the property owners.

The ArtWalk is scheduled to be constructed in the fall. The estimated cost of construction is \$586,000, which is expected to be financed as follows:

NYS Transportation Enhancement Program	\$167,610
Prior Bond Issues	375,850

Cash Capital	42,540
Total	\$586,000

A public informational meeting concerning the project was held on April 19. A copy of the minutes of this meeting is attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-88

Ordinance No. 2001-262
(Int. No. 281)

Acceptance Of Permanent Easements For The University Avenue ArtWalk Project

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

Section 1. The Council hereby approves the acceptance of permanent easements over a portion of the following parcels from the current owners, for the construction and maintenance of municipal improvements as a part of the University Avenue ArtWalk Project:

Address S.B.L.#	Area Owner
696, 698, 706, 712 University Avenue 121.28-3-1.1, 1.2, 1.3, 1.4	1,111 Sq. Ft. Paul Kramer

714 University Avenue 121.28-3-7	156 Sq. Ft. Michael E. Kleinhans

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-263
Re: Elmwood Avenue Bridge
Rehabilitation Project

Transmitted herewith for your approval is legislation relating to the Elmwood Avenue Bridge Rehabilitation Project. This legislation will:

1. Authorize an amendatory agreement with Goodkind & O'Dea, 183 E. Main Street, for additional design services, at an estimated cost of \$55,000; and
2. Appropriate \$80,000 from anticipated reimbursements from the Federal Highway Administration to partially finance the costs of design and administration of the project.

The project is being administered by the City under an agreement authorized by the City Council on January 18, 2000. Preliminary design services are being performed by Goodkind & O'Dea under an agreement authorized on January 16, 2001.

As originally planned, the project will involve the replacement of the structural joint systems; curb repairs and sidewalk modifications; installation of pedestrian lighting; drainage improvements; and painting of the

structural steel. As presently planned, the project may also include seismic modifications.

Because of the seismic performance classification of the Rochester region and the functional classification the bridge, an evaluation of possible seismic retrofitting will be conducted. If feasible, the retrofitting will be included in the project.

Under the proposed amendatory agreement, Goodkind & O'Dea will conduct this evaluation and, if appropriate, design the modifications. Assuming that the modifications are included in the project, the revised estimated cost of the project is \$1,770,000, which is \$500,000 more than the original estimate.

	Revised Estimate	Original Estimate
Engineering and Design	\$ 199,000	\$ 144,000
Construction, Inspection and Contingencies	1,520,000	1,118,500
Administration	51,000	7,500
Total	\$1,770,000	\$1,270,000

The increase in costs will be financed primarily by increases in federal and state allocations.

	Revised Estimate	Original Estimate
Federal	\$1,416,000	\$1,016,000
State	265,500	191,000
City	88,500	63,000
Total	\$1,770,000	\$1,270,000

Of the federal allocation, \$120,000 was appropriated by the Council on January 18, 2000. The proposed additional appropriation of \$80,000 will increase the amount of appropriated federal funds to \$200,000, which represents the estimated federal share of the costs of design and administration.

Design of the project is expected to be completed in the spring of 2002. Construction is expected to begin in the summer of 2002 and be completed by the winter.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-89

Ordinance No. 2001-263
(Int. No. 282)

Establishing Maximum Compensation For An Amendatory Agreement For Design Services For The Elmwood Avenue Bridge Rehabilitation Project And Appropriating Funds

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

Section 1. The sum of \$55,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Goodkind & O'Dea, P.C. for additional engineering design services for the Elmwood Avenue Bridge Rehabilitation Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Of said amount, \$3,225 shall be funded from the 1997-98 Cash Capital Allocation, \$8,975 shall be funded from the 2000-01

Cash Capital Allocation and \$42,800 shall be funded from the appropriation made in Section 2.

Section 2. There is hereby appropriated from anticipated reimbursements from the Federal Highway Administration the sum of \$80,000, or so much thereof as may be necessary, to fund the design and administrative phases of the Elmwood Avenue Bridge Rehabilitation Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-264 and
Ordinance No. 2001-265

Re: Technical Amendments - Official Map

Transmitted herewith for your approval is legislation relating to two prior amendments of the Official Map. This legislation will:

1. Correct the property description for the portion of Industrial Street that was abandoned and conveyed to Knowlton Associates; and
2. Extend the time period provided for compliance with the various conditions associated with abandonments on six streets in the Kodak Park area.

On July 14, 1998, the City Council authorized the abandonment of 2,720 square feet of Industrial Street. The abandoned area either reverted to Knowlton or was sold to it by the City. Knowlton used the parcel for development of parking lot to for the tenants of 69 Cascade Drive.

A review of the map of the abandoned area indicates that the property description in the authorizing legislation was inaccurate. The proposed legislation will correct this inaccuracy.

On August 11, 1998, the Council authorized the abandonment of the following streets, or portions thereof:

1. Goodwill Street
2. Woodside Street
3. Eastman Avenue
4. Hanford Landing Road
5. Seneca Park Circle
6. Keehl Street

The abandonments were requested by the Eastman Kodak Company to improve security and productivity and to reduce costs.

The abandonments were subject to various conditions, including a requirement for compliance with these conditions within two years. The conditions were satisfied but not within the two-year period.

The proposed legislation will reflect the actual time of completion by extending the compliance period by 13 months, from August 11, 2000 to September 11, 2001.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-90

Ordinance No. 2001-264
(Int. No. 283)

Amending The Legal Description Of The Abandonment Of A Portion Of Industrial Street

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

Section 1. The legal description of the portion of Industrial Street abandoned in Section 1 of Ordinance No 98-295 is hereby amended to read in its entirety as follows:

All that tract or parcel of land being part of the Canal Tract, situated in the City of Rochester, County of Monroe, State of New York and being more particularly bounded and described as follows:

Commencing at a point on the southerly highway boundary line of Industrial Street (60' R.O.W.), said point measuring 211.91 feet northwesterly from the intersection of the said southerly highway boundary of Industrial Street with the westerly highway boundary line of Cascade Drive (60' R.O.W.);

Thence (1) Continuing northwesterly along the southerly highway boundary line of Industrial Street extended northwesterly, a distance of 24.87 feet to a point, said point being on the easterly highway boundary line of Interstate 490 (R.O.W. varies);

Thence (2) Northerly along the easterly highway boundary line of Interstate 490 forming an interior angle of 125-54-30 with the last course described, a distance of 74.08 feet to a point;

Thence (3) Southeasterly along a line forming an interior angle of 54-05-30 with the last course described, said line being the northerly highway boundary line of Industrial Street extended northwesterly, a distance of 68.32 feet to a point, said point measuring 153.91 feet northwesterly from the intersection of the northerly highway boundary of Industrial Street with the westerly highway boundary line of Cascade Drive;

Thence (4) Southwesterly along a line forming an interior angle of 90-00-00 with the last course described, a distance of 60 feet to the point of beginning, said course four forms an interior angle of 90-00-00 with said course one, containing .064 acres of land.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-265
(Int. No. 284)

Authorizing Extension Of Time For The Abandonment Of Streets In The Kodak Park Area

BE IT ORDAINED, by the Council of the City of

Rochester as follows:

Section 1. The Council hereby approves an extension of the time to meet the conditions established by the Planning Commission for the abandonment of streets in the Kodak Park area, as approved in Ordinance No. 98-316, through September 11, 2001.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-266
Re: Port of Rochester Improvement Project

Transmitted herewith for your approval is legislation relating to the Port of Rochester Improvement Project. This legislation will:

1. Authorize an agreement with LaBella Associates, 300 State Street, for resident project representation services for the building demolition and site preparation activities included in the project, at a maximum cost of \$72,000; and
2. Appropriate \$800,000 from anticipated reimbursements from the Federal Highway Administration to partially finance the cost of the aforementioned agreement and activities.

The remaining portion of the cost of the agreement will be financed from the 1999-00 Cash Capital allocation.

The project includes realignment of Beach Avenue, east of Lake Avenue; reconstruction and extension of River Street from Stutson Street into the port area; reconstruction of Latta Road, east of Lake Avenue; construction of a new road from River Street extending south to Petten Street; construction of three access roads from Lake Avenue into the port area; parking and infrastructure improvements; construction of a customs station/ferry terminal and other border crossing facilities; installation of a public transient docking facility; and new pedestrian trails. Agreements for design of these improvements, by LaBella, were authorized by the City Council on March 25 and July 13, 1999 and January 16 and June 28, 2001.

The improvements require the demolition of the south warehouse of the former Port of Rochester. The demolition is necessary even if the fast ferry service is not implemented.

The warehouse building was previously used for concerts and dances, exhibits, conferences, receptions and public meetings. The continuation of such uses would have required significant renovations to ensure compliance with accessibility and safety requirements and an allocation of \$600,000 for renovation of the building was included in the Capital Improvement Program.

However, as an alternative, under an agreement authorized by the Council on November 14, 2000, the City provided \$350,000 to Monroe County to partially finance the renovation of the Robach Community Center, the former bathhouse. The activities formerly occurring in the warehouse building now occur at the Center.

The estimated cost of demolition of the warehouse building and subsequent site preparation is \$928,000. Actual bids for the work will be received on August 14. LaBella is recommended to provide inspection services because of its familiarity with the project.

Eighty percent of the cost of the work will be financed from the federal Transportation Equity Act - 21st Century. The proposed appropriation represents this applicable amount.

The demolition and site preparation is expected to be completed in the fall.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-266
(Int. No. 308)

Establishing \$72,000 As Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services And Appropriating Anticipated Reimbursements From The Federal Highway Administration

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

Section 1. The sum of \$72,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and LaBella Associates for resident project representation services for demolition and site preparation activities included in the Port of Rochester Improvement Project. Of said amount, \$14,400 shall be funded from the 1999-00 Cash Capital Allocation and \$57,600 shall be funded from the anticipated reimbursements from the Federal Highway Administration appropriated in Section 3.

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

Section 3. The sum of \$800,000, or so much thereof as may be necessary, is hereby appropriated from anticipated reimbursements from the Federal Highway Administration for the Port of Rochester Improvement Project.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-267
Re: Agreements - Engineering Services,
Street Improvement Projects

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for engineering services for various street improvement projects.

<u>Organization</u>	<u>Estimated Project Cost</u>
<u>Project</u>	<u>Agreement Amount</u>
Fisher Associates	\$1,214,000
135 Calkins Road	
St. Paul Street	\$172,000

(Ave. E to Norton St.)

LaBella Associates	3,553,000
300 State Street	
S. Plymouth Avenue	230,000
(Barton St. to Ford St.)	
Corneles Engineering	870,000
71 Goodway Drive	
Maple Street	86,000
(Mt. Read Blvd. to Glide St.)	
FRA Engineering	3,363,000
245 Summit Pt. Drive	
Highland Avenue	238,000
(Monroe Ave. to east city line)	

The costs of the agreements will be financed from Cash Capital allocations.

The projects will involve the rehabilitation or reconstruction of pavement; installation of new curbs, catch basins and driveway aprons; replacement of water mains, street lights, and sidewalks, as required; and landscaping. The St. Paul Street project may also include street modifications to improve pedestrian safety at the intersection with Avenue E.

The S. Plymouth Avenue Project is part of the County assisted Arterial Improvement Program. The County's participation in the project is in accordance with the (131k) agreement authorized by the City Council on July 29, 1981.

Under the terms of the agreement, an engineering plan must be prepared and approved by the Council. It is anticipated that the planning and preliminary engineering report will be completed in May, 2002.

Proposals for the engineering services required for all the projects were solicited and received from nine organizations. The aforementioned organizations are recommended based on the qualifications of the personnel to be assigned to the projects and their ability to provide the services within the time periods specified by the City.

All of the agreements will provide for both engineering planning and design services, except the agreement with LaBella, which will provide for only engineering planning services. The agreement with LaBella also will provide for the preparation of concept site and subdivision plans for several alternative housing opportunities along the west bank of the Genesee River, south of Flint Street. The cost of the latter services will be financed from the Cash Capital allocation of the Department of Community Development.

Following are the present schedules for construction of the projects:

Project	Start	Complete
St. Paul Street	Spring, 2002	Fall, 2002
S. Plymouth Avenue	Spring, 2003	Fall, 2004
Maple Street	Summer, 2002	Fall, 2002
Highland Avenue	Summer, 2002	S u m m e r , 2003

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-91

Ordinance No. 2001-267
(Int. No. 314)

Establishing Maximum Compensation For Professional Services Agreements For Planning And Engineering Services For Street Improvement Projects

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

Section 1. The sum of \$172,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Fisher Associates for engineering planning and design services for the St. Paul Street Improvement Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project.

Section 2. The sum of \$230,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and LaBella Associates for engineering planning services for the South Plymouth Avenue Improvement Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project.

Section 3. The sum of \$86,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Corneles Engineering for engineering planning and design services for the Maple Street Improvement Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project.

Section 4. The sum of \$238,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and FRA Engineering for engineering planning and design services for the Highland Avenue Improvement Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project.

Section 5. Of said amounts, or so much thereof as may be necessary, \$187,800 shall be funded from the 1998-99 Cash Capital Allocation, \$442,400 shall be funded from the 1999-2000 Cash Capital Allocation and \$95,800 shall be funded from the 2000-01 Cash Capital Allocation.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-268 and
Ordinance No. 2001-269

Re: APCO Site Environmental Remediation

Transmitted herewith for your approval is legislation relating to environmental remediation of the former APCO General Contractors site. This legislation will:

1. Authorize an amendatory agreement with The Sear-Brown Group, 85 Metro Park, for additional environmental remediation services, at a maximum cost of \$133,500; and
2. Authorize the issuance of bonds totaling \$34,000 and appropriate the proceeds thereof to partially finance this cost.

The remaining cost will be financed from anticipated reimbursements from the NYS Department of Environmental Conservation.

The former APCO site consists of nine parcels, totaling 6.9 acres, which are located in the residential area generally bounded by E Main Street, Atlantic Avenue, Woodstock Street and Akron Street.

Eight of the parcels were acquired tax foreclosure proceedings. The other parcel was acquired through condemnation.

Prior to their acquisition, the parcels had been used since the 1930s by general contracting businesses. It is intended that, in the future, they be used for residential development.

On June 17, 1997, the City Council authorized an agreement with Sear-Brown for an environmental investigation of the site. This investigation identified surface and subsurface soil contamination, groundwater contamination, underground storage tanks, construction and demolition debris, and various other wastes. The soil contamination primarily involves petroleum products, but there are also limited areas of arsenic and mercury contamination. None of the contamination, debris or wastes are an immediate health hazard to the residents of adjacent properties.

A proposed clean-up plan was completed in 1998 and approved by the DEC. This plan provides for:

1. Removal of all above- and under- ground storage tanks;
2. Excavation and removal of construction and demolition debris and contaminated soils; and
3. Design and construction of a system to treat petroleum contaminated soil and groundwater.

The plan also provided for the demolition of all existing buildings, which was completed in December, 1998.

On November 10, 1998, the Council authorized an agreement with Sear-Brown for design of the required remediation and completion of certain interim clean-up activities at the site. These activities included clearing the property line and replacing the perimeter fencing, removal of miscellaneous equipment, drums and containers, and animal control.

The proposed amendatory agreement will provide for payment of services not anticipated under the aforementioned agreement. These services included:

1. A site topographic and boundary survey of the parcel acquired through condemnation;
2. Repair of damaged groundwater monitoring wells on the parcel;
3. Soil gas surveys, soil borings, new monitoring wells and additional basement sampling and testing on 11 adjacent properties;
4. Investigation of a newly discovered contaminated underground system of piping and catch basins;
5. Evaluation of additional data concerning the expanded contaminated areas;
6. Additional site clearing and removal and

disposal of greater than expected quantities of hazardous and non-hazardous wastes.

7. Additional soil sampling to define the cleanup zones; and
8. Preparation of a legal description of an adjacent private property required for redevelopment of the site.

If the proposed amendatory agreement is approved, the total cost of the agreement with Sear-Brown will increase to \$739,700.

Final remediation is expected to begin in the fall and require about 12 months to complete. Soil and groundwater treatment systems are expected to operate for 12-18 months thereafter.

The total estimated cost of design and remediation is \$2,107,130. Under the 1996 Clean Water/Clean Air Bond Act, the City will be eligible for reimbursement of up to 75% of the project costs. In addition, the State of New York will indemnify the City and any subsequent owners for any future additional costs.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-268
(Int. No. 321)

Establishing \$133,500 As Maximum Compensation For A Professional Services Agreement With The Sear Brown Group For Environmental Remediation Of The Former APCO General Contractor's Site

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

Section 1. The sum of \$133,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and The Sear Brown Group for environmental remediation design and interim cleanup of the former APCO general contractor's site. Of said amount, \$99,500 shall be funded from the appropriation made in Ordinance No. 99-321 and \$34,000 shall be funded from a bond ordinance for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-269
(Int. No. 322)

Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$34,000 Bonds Of Said City To Finance The Additional Cost Of Planning And Implementing Environmental Remediation Design And Interim Clean-Up At The Former APCO Site Located Within The City At 79 Woodstock Road

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 the "City"), is hereby authorized to finance additional environmental remediation design and interim clean-up of the former

APCO General Contractor's site which is located in the center of a residential neighborhood located between East Main Street, Atlantic Avenue, Woodstock Street and Akron Street in the City of Rochester, New York (the "Site"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,676,569, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$34,000 bonds of the City, together with the application of \$151,600 bonds previously appropriated in Ordinance No. 98-405, \$1,490,969 in 1996 Clean Water Clean Air Bond Act Grant Funds appropriated in Ordinances No. 98-404 and 99-321, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$34,000 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 improvement 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 \$34,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.6-e of the Law, is twenty (20) years.

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-270
Re: NYS Program Grants

Transmitted herewith for your approval is legislation authorizing applications to and agreements with two agencies of the State of New York for receipt and use of such grants as may be available.

NYS Office of Parks, Recreation and Historic Preservation

Broad Street Aqueduct
Manhattan Square Park
City Hall Restoration
High Falls Interpretive Signage

NYS Department of State

Genesee River Trail Interpretive/Directional Signage

The Broad Street Aqueduct Project would include rehabilitation of the former Erie Canal aqueduct. The rehabilitation would include the relocation of steam lines, construction of a walkway and installation of interpretive exhibits.

A presentation concerning the project was made to the City Council on January 25. Since that time, Chait Studios has refined the project concept and identified

possible funding sources.

The present estimated cost of the project is \$3.5 million. Possible funding sources are the federal Transportation Equity Act - 21 Transportation Enhancement Program and the state Historic Preservation Program. The proposed legislation would authorize submission of an application for a grant from the latter program.

The Manhattan Square Park Project would involve the rehabilitation of the park. Under an agreement authorized by the Council on December 19, Urban Strategies is presently developing alternative concept plans for the project. The proposed legislation would authorize submission of an application for a grant from the Parks Program to partially finance the costs of the project, which are estimated to be \$4.4 million.

The City Hall Restoration Project would involve the repair of sandstone, roof and windows. Under an agreement authorized by the City Council on October 13, 1998 and September 15, 1999, Handler Gross Durfee & Associates conducted a demonstration program to identify the preferred method of restoration of the sandstone and slate roof. The proposed legislation would authorize the submission of an application for a grant from the Historic Preservation Program to partially finance the costs of window and roof repairs, which are estimated to be \$2.4 million.

The legislation would also authorize the submission of an application for a grant from the Heritage Area Program to finance the costs of design and installation of interpretive signage for the High Falls area. The signage would supplement the existing signage at the Triphammer Forge site.

Finally, the legislation would authorize the submission of an application for a grant from the Local Waterfront Revitalization Program to partially finance the cost of design and installation of additional interpretive and directional signage along the Genesee River Trail. The estimated cost of the project is \$200,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-270
(Int. No. 323)

Authorizing Applications And Agreements For Grant Funds

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for funding for design and construction of a pedestrian walkway in the Broad Street Aqueduct, including relocation of steam lines from the aqueduct arches.

Section 2. The Mayor is hereby further authorized to submit an application to and enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for funding for repairs to City Hall.

Section 3. The Mayor is hereby further authorized to submit an application to and enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for funding for the design,

manufacture and installation of High Falls interpretative signage.

Section 4. The Mayor is hereby further authorized to submit an application to and enter into an agreement with the New York State Department of State for funding for the design and purchase of Genesee River Trail interpretative and directional signage.

Section 5. The Mayor is hereby further authorized to submit an application to and enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for funding for the Manhattan Square Park Rehabilitation Project.

Section 6. The applications and agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Douglas
August 21, 2001

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 285 - Authorizing Agreements For Human Services Projects

Int. No. 286 - Authorizing An Agreement With The City School District For The Joint Use And Maintenance Of Facilities

Int. No. 287 - Establishing \$102,126 As Maximum Compensation For A Professional Services Agreement For The 911 Center Telephone Systems

Int. No. 288 - Establishing \$128,800 As Maximum Compensation For A Professional Services Agreement For The Continuation Of Citizen Complaint Services For The Rochester Police Department

Int. No. 313 - Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement For Engineering Services For Replacement Of The Ice Rink Floor At The Blue Cross Arena At The Rochester War Memorial

Int. No. 315 - Establishing \$298,000 As Maximum Compensation For A Professional Services Agreement With Lift Line Inc. For Operation Of The EZ Rider Entertainment Shuttle

Int. No. 316 - Establishing \$27,000 As Maximum Compensation For A Professional Services Agreement For Advertising And Marketing Services For The EZ Rider Entertainment Shuttle

Int. No. 317 - Authorizing Applications And Agreements For The PAC-TAC Support Project And Amending The 2001-02 Budget

Int. No. 327 - Amending Ordinance 85-462 To Restructure The County Of Monroe/City Of Rochester Council On Disabled Persons, And Rename The Council To County Of Monroe/City Of Rochester Council For People With Disabilities

Respectfully submitted,

Benjamin L. Douglas
Robert J. Stevenson
Tony M. Thompson
Gladys Santiago
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-271
Re: Agreements - Human Services Projects

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for various human services projects.

<u>Organization</u> <u>Project</u>	<u>Amount</u>	<u>Year</u>
The Health Association Genesee Street Outreach	\$50,000	5
Grace Urban Ministries Shalom Family Life Center	20,000	3
YMCA of Greater Rochester Southwest Y - Teen City	25,000	1
Teens on Track	25,000	2

The cost of the agreements will be financed from the General Community Needs allocation of the 1999-00 and 2001-02 Community Development Block Grants.

All of the projects are classified as projects with matching funds and are therefore eligible for up to five years of funding under the human service funding guidelines. Project descriptions are attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-92

Ordinance No. 2001-271
(Int. No. 285)

Authorizing Agreements For Human Services Projects

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for Human Services Projects in amounts not to exceed the following:

<u>Organization</u> <u>Project</u>	<u>Amount</u>
The Health Association Genesee Street Outreach	\$50,000
Grace Urban Ministries Shalom Family Life Center	20,000
YMCA of Greater Rochester Southwest Y - Teen City	25,000
YMCA of Greater Rochester Teens on Track	25,000

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$120,000, and of said amount, or so much thereof as may be necessary, \$25,000 is hereby appropriated from the General Community Needs Allocation of the 1999-2000 Community Development Program, and \$95,000 is hereby appropriated from the General Community Needs Allocation of the 2001-02 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-272
Re: Agreements - Joint Facility Use

Transmitted herewith for your approval is legislation authorizing an agreement with the City School District for joint use and maintenance of the following facilities:

1. Flint Street Recreation Center/School No. 19
2. South Avenue Recreation Center/School No. 12
3. Adams Street Recreation Center/Nathaniel Rochester Community School

The aforementioned centers and schools were constructed in 1971 (Flint and South) and 1972 (Adams) for joint or shared use by the City and City School District. Agreements providing for such use were originally executed in 1971 and 1972.

Various amendatory agreements were subsequently executed. The most recent consolidated agreement was authorized by City Council on April 16, 1996 and expired on June 30, 2001.

The proposed agreement will continue to indicate the rights and responsibilities of each party with respect to:

1. Hourly space utilization
2. Supervision responsibilities
3. Maintenance and custodial responsibilities
4. Equipment use, repair and replacement
5. Sharing of utility costs
6. Liability and indemnification responsibilities

In addition, the agreement will specify the hourly fees to be paid by the District for use of the recreation facilities. These fees are consistent with the fees charged by the District for use of its facilities.

The agreement will have an initial term of two years with provision for renewal for an additional two-year period.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-272
(Int. No. 286)

Authorizing An Agreement With The City School District For The Joint Use And Maintenance Of Facilities

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the City School District for the joint use and maintenance of the Flint Street Recreation Center/School No. 19, South Avenue Recreation Center/School No. 12, and the Adams Street Recreation Center/Nathaniel Rochester Community School. The agreement shall extend for a term of two years, with an option for renewal for an additional term of two years upon mutual consent.

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. 2001-273
Re: Agreement - Frontier Telephone of Rochester, 9-1-1 Telephone Maintenance

Transmitted herewith for your approval is legislation authorizing an agreement with Frontier Telephone of Rochester for continued repair and maintenance of the telephone system at the emergency communications center. The maximum cost of this agreement will be \$102,126, which will be financed from the 2002-02 budget of the Office of Emergency Communications.

The telephone system for the new center was installed by the Rochester Telephone Corporation (Frontier's predecessor) under an agreement with Monroe County, which had responsibility for the provision of all telecommunications equipment and systems for the center. The current agreement for maintenance and repair of this equipment and system was authorized by the City Council on August 22, 2000.

Under the proposed agreement, Frontier will continue to...

1. Perform preventative maintenance monthly, including the analysis of power supply voltages, circuit modules, internal data links and system alarms;
2. Test on-site and off-site backup systems semi-annually;
3. Perform unscheduled service as required, including diagnosis, adjustment, repair or replacement of equipment and systems;
4. For a critical system outage, contact the City within 30 minutes of notification and be on site within two hours of the contact (a critical system outage is a loss of automatic number information, automatic location information, more than two call taker positions or 25% or more of the trunks lines);
5. For a major system outage, contact the City

within 30 minutes of notification and be on site within four hours of the contact (a major system outage is a network routing problem affecting at least one telephone exchange, or a loss of a ALI link or up to two call taker positions); and

6. For a system malfunction, respond within 24 hours of notification (a system malfunction includes all problems other than system outages).

The cost of the proposed agreement is the same as the cost of the current agreement. This cost will be reimbursed by the County under the 9-1-1 operating agreement authorized by the City Council on May 10, 1994.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-273
(Int. No. 287)

Establishing \$102,126 As Maximum Compensation For A Professional Services Agreement For The 911 Center Telephone Systems

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

Section 1. The sum of \$102,126, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Frontier Telephone Company for repair and maintenance of the telephone systems at the 911 Emergency Communications Center. Said amount shall be funded from the 2001-02 Budget of the Department of Emergency Communications.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-274
Re: Agreement - Center for Dispute Settlement, Inc., Citizens Review Process

Transmitted herewith for your approval is legislation authorizing an agreement with the Center for Dispute Settlement, Inc., 242 Andrews Street, for the continuation of services related to the citizens complaint review process of the Police Department. The maximum cost of these services will be \$128,800, which will be financed from the 2001-02 budget of the department.

CDS has provided services related to the review process for several years. Since 1977, it has trained citizens for assignment as panelists to the Civilian Review Board or its predecessor, the Complaint Investigation Committee, and to the Section 75 (of the Civil Service Law) Hearing Board. Since 1985, it has provided an alternate location to the Public Safety Building for the receipt of citizen complaints, and a complaint conciliation process.

The most recent agreement for such services was authorized by the City Council on August 22, 2000. Under the proposed agreement, CDS will continue to

provide the above services during 2001-02.

The cost of the agreement is \$3,923 (3.1%) more than the cost of the prior agreement. The annual report of CDS is available for review in the Office of the City Clerk.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-274
(Int. No. 288)

Establishing \$128,800 As Maximum Compensation For A Professional Services Agreement For The Continuation Of Citizen Complaint Services For The Rochester Police Department

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

Section 1. The sum of \$128,800, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Center For Dispute Settlement, Inc. for the continuation of services relating to citizen complaints involving members of the Rochester Police Department. Said amount shall be funded from the 2001-02 Budget of the Rochester Police Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-275
Re: Agreement - Erdman Anthony,
Arena Ice Floor Replacement

Transmitted herewith for your approval is legislation authorizing an agreement with Erdman Anthony & Associates, 2165 Brighton-Henrietta Town Line Road, for engineering services relating to the replacement of the ice floor at the Blue Cross Arena at the Rochester War Memorial. The maximum cost of this agreement will be \$50,000, which will be financed from the 2001-02 Cash Capital allocation (Arena Fund).

The present ice floor was installed in 1973. In 1999, leaks in the refrigerant system were detected.

During the summer of 1999, a portion of the floor was excavated and two pipes were replaced. The pipes had holes and substantial corrosion. The contractor, Mollenberg and Betz, indicated that similar holes and corrosion were likely in other piping.

When operation of the refrigerant system resumed in the fall of 1999, leaks of glycol were immediately detected. Since then, to prevent the rupturing of piping, the system has been operated with the least possible amount of pressure. Nonetheless, approximately five gallons of glycol are collected monthly from leaks.

A rupture of the piping during the hockey season would have significant consequences. Therefore, replacement of the ice floor is recommended.

Proposals for the engineering services relation to such replacement were solicited from two firms. Erdman Anthony is recommended because of the qualifications

of the personnel to be assigned to the project and its past performance on other City projects.

Under the proposed agreement, Erdman Anthony will develop the mechanical, structural and electrical specifications for the replacement and prepare the associated contract documents. The replacement will include the refrigerant headers, distribution system piping, insulation and ice rink pad.

The replacement is expected to be completed during the summer of 2002. The rescheduling of a few events may be necessary.

The estimated cost of the project is \$800,000, which will be financed from the proceeds of bonds previously issued for renovation of the Arena and existing Cash Capital allocations. Following replacement, the cost of operation of the refrigerant system is expected to decrease by about 10%.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-275
(Int. No. 313)

Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement For Engineering Services For Replacement Of The Ice Rink Floor At The Blue Cross Arena At The Rochester War Memorial

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

Section 1. The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Erdman Anthony & Associates for engineering services relating to the replacement of the ice rink floor at the Blue Cross Arena at the Rochester War Memorial. Said amount shall be funded from the 2001-02 Cash Capital Allocation of the Department of Parks, Recreation and Human Services.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.
TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-276 and
Ordinance No. 2001-277
Re: EZ Rider Entertainment Shuttle

Transmitted herewith for your approval is legislation relating to the EZ Rider Entertainment Shuttle. This legislation will authorize the following agreements:

1. Lift Line, Inc., for continued provision of the shuttle service, at a maximum cost of \$298,000, and
2. Lonna Casmano (d/b/a The Marketing Decision Group) 141 Hickory Ridge Road, for the provision of promotion and marketing services related to the shuttle, at a maximum cost of \$27,000.

The cost of both agreements will be financed from the 2001-02 budget of the Economic Development Department.

The shuttle service is intended to stimulate economic activity within the city by facilitating the patronage and use of neighborhood and center city businesses and entertainment attractions by visitors, tourists and area residents. Currently, the service involves the provision of free transportation to 35 stops along a nine-mile route.

Lift Line has provided the shuttle service since its inception in June of 1996. The current agreement with Lift Line was authorized on June 20, 2000. A summary of ridership since inception of the service is attached.

Under the proposed agreement, Lift Line will continue to:

1. Operate the shuttle service, at a cost of \$41.75 per hour, from 5:30 to 11 p.m. on Wednesday and Thursday and from 5:30 p.m. to 1:00 a.m. on Friday and Saturday.
2. Provide six low-floor, ramp accessible vehicles with 29-passenger capacity, four for regular service and two for use as a back-up vehicle.
3. Provide all necessary drivers for the vehicles and a road supervisor.
4. Maintain and service the vehicles and replace within 30 minutes any vehicle that is out of service.
5. Maintain two-way radio communication and emergency maintenance capacity.
6. Provide:
 - a. Special uniforms for the drivers,
 - b. Sound systems for the vehicles,
 - c. Exterior signage for the vehicles,
 - d. Special signs at stop locations,
 - e. 25,000 copies of route maps and schedules for display and distribution within the vehicles.
7. Provide for driver participation in hospitality training provided by the City.
8. Assist in the collection of data relating to passengers and use.

The cost of the proposed agreement is \$8,000 more than the cost of the current agreement. The increase in cost relates to the provision of services on specified Mondays and Tuesdays for attendees of conventions that were booked prior to May, when service on these days was eliminated.

Ms. Casmano will replace Michael Hardy, who has relocated. Ms. Casmano will provide the following services:

1. Market the shuttle service to visitors and convention participants in conjunction with the Greater Rochester Visitors Association and Rochester Riverside Convention Center;
2. Market the shuttle service in conjunction with

events and exhibitions at museums and theaters along the route, including the Memorial Art Gallery, George Eastman House, Rochester Museum and Science Center/Strasburgh Planetarium, Strong Museum and Eastman, Downstairs Cabaret, Blackfriars, Geva, and Auditorium Theaters;

3. Market the service to students at local colleges and universities, center city employees and business travelers;
4. Market the "Shuttle Bucks" program to additional businesses and institutions along the route;
5. Provide hospitality training for EZ Rider drivers; and
6. Provide familiarization tours for EZ Rider drivers and support staff, hotel front line staff, and staff of the Greater Rochester Visitors Association.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-93

Ordinance No. 2001-276
(Int. No. 315)

Establishing \$298,000 As Maximum Compensation For A Professional Services Agreement With Lift Line Inc. For Operation Of The EZ Rider Entertainment Shuttle

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

Section 1. The sum of \$298,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Lift Line Inc. for the operation of the EZ Rider Entertainment Shuttle. Said amount shall be funded from the 2001-02 Budget of the Economic Development Department.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - Councilman Curran - 1.

Ordinance No. 2001-277
(Int. No. 316)

Establishing \$27,000 As Maximum Compensation For A Professional Services Agreement For Advertising And Marketing Services For The EZ Rider Entertainment Shuttle

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

Section 1. The sum of \$27,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Lonna Cosmano, d/b/a The Marketing Decision Group, for advertising and marketing services for the EZ Rider Entertainment Shuttle.

ment Shuttle. Said amount shall be funded from the 2001-02 Budget of the Economic Development Department.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - Councilman Curran - 1.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-278
Re: PAC-TAC Program

Transmitted herewith for your approval is legislation relating to the PAC-TAC (Police and Citizens - Together Against Crime) Program. This legislation will:

1. Authorize applications to and agreements with the NYS Division of Criminal Justice Services for the receipt and use of grants totaling \$70,000 for the program;
2. Amend the 2001-02 budget of the Police Department to reflect these grants; and
3. Authorize an agreement with the Lyell Avenue Revitalization Committee for administrative support of the program.

PAC-TAC is an effort to deter criminal activity through the use of volunteer citizen patrols in neighborhoods. When citizens observe such activity, they are able to report it through radios provided by the Police Department.

In the Lyell Avenue neighborhood, the citizen patrols are accompanied by police officers during the times at which most criminal activity occurs, typically between 6:00 p.m. and 10:00 p.m. If volunteers are not available, the officers patrol alone.

The enhancement of the citizen patrols is being financed through a state grant obtained through the efforts of Senator Alesi. Receipt and use of this grant, of \$25,000, was authorized by the City Council on June 19. The proposed additional grants will supplement the original grant.

The first supplemental grant, of \$48,821, will require matching City funds of \$16,274. Together, these funds will finance approximately 1,534 hours of overtime duty by police officers and the acquisition of four patrol bicycles, bicycle equipment and uniforms.

Overtime	\$58,095
Bicycles	4,000
Bicycle equipment/uniforms	3,000
Total	\$65,095

The second supplemental grant, of \$21,179, will require matching City funds of \$7,059. Together, these funds will finance the cost of administration of the program by LARC.

Project Director (203 hours)	\$ 6,090
Business Administrator (320)	8,000
Administrative Asst. (666.7)	10,000

Salaries and Wages	24,090
Employee Benefits	2,915
Personnel	27,005
Equipment	325
Office Supplies	908
Total	\$28,238

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-278
(Int. No. 317)

**Authorizing Applications And Agreements For
The PAC-TAC Support Project And Amending
The 2001-02 Budget**

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

Section 1. The Mayor is hereby authorized to submit applications to and enter into agreements with the New York State Division of Criminal Justice Services for funding for the PAC-TAC Support Project.

Section 2. The Mayor is hereby further authorized to enter into an agreement with the Lyell Avenue Revitalization Committee for the PAC-TAC Support Project.

Section 3. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$21,179, and said amount, or so much thereof as may be necessary, shall be funded from the 2001-02 Budget of the Rochester Police Department.

Section 4. The 2001-02 Budget of the City of Rochester, as amended and approved at this meeting, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$70,000, which amount is hereby appropriated from funds to be received under the agreements authorized herein to fund the PAC-TAC Support Project.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-279
Re: County of Monroe/City of Rochester
Council for People with Disabilities

Transmitted herewith for your approval is legislation relating to the present County of Monroe/City of Rochester Council on Disabled Persons. This legislation will revise...

1. The name of the Council; and
2. Its prescribed membership.

The Monroe County Legislature and City Council approved the establishment of the Council on October 22 and November 12, 1985, respectively. The Council, an advisory body, is designed to "...assist the County of Monroe and the City of Rochester in recognizing and responding to the many problems faced by citizens

with disabilities.”

The Council, or subcommittees or members thereof, assisted the City in the development of the compliance plan required by the federal Americans with Disabilities Act of 1992. Assistance was also provided in the design of the renovations of the Blue Cross Arena at the Rochester War Memorial.

The prescribed membership of the Council is 23 persons, jointly appointed by the County Executive and Mayor. Nineteen of the members are to be volunteers, at least one-third of whom are to be persons with disabilities. Two members are to be County staff and two members are to be City staff.

However, during the last several years, active membership has declined. In recognition of the decline and in realization that a smaller membership has permitted the Council to be more efficient and effective, the present members of the Council have recommended that the prescribed number of volunteer members be reduced to 13, at least 50% whom are to be persons with disabilities, as defined by ADA.

This recommendation would result in a slight reduction in the required minimum number of people with disabilities, from 7-8 persons to 6-7 persons. The requirement that the disabilities represent a “wide range” would remain.

The present members of the Council also recommended that its name be slightly revised to better indicate its purpose and to realize that a person with a disability may not be a disabled person. The revision would be from “Council on Disabled Persons” to “Council for People with Disabilities”.

The recommended revisions were approved by the Monroe County Legislature on March 13.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-279
(Int. No. 327)

Amending Ordinance 85-462 To Restructure The County Of Monroe/City Of Rochester Council On Disabled Persons, And Rename The Council To County Of Monroe/City Of Rochester Council For People With Disabilities

BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF ROCHESTER, as follows:

Section 1. Ordinance 85-462 is hereby amended to rename the County of Monroe/City of Rochester Council on Disabled Persons to the County of Monroe/City of Rochester Council for People with Disabilities and restructure same as follows:

A. MISSION AND PURPOSE

The mission of the Council for People with Disabilities is to be an advisory council to the Monroe County Executive and the Mayor of the City of Rochester. In that capacity, the Council will act as a catalyst to unite and coordinate efforts in the County of Monroe and the City of Rochester toward a better understanding and fulfillment of the needs of people with disabilities, regardless of their disability. The Council will endeavor to facilitate the removal of social, resource and environmental barriers which discourage and limit people with disabilities from full participation

in the community. Barriers exist in accessibility, communication, education, employment, housing, recreation and transportation.

The Council recognizes the dedicated efforts of consumers, individuals, families, professionals and public officials. These efforts have resulted in the impressive array of services and programs already available to people with disabilities. There are still problems to be overcome, needs to be addressed, and solutions to be implemented. The Council will work with the community to make Monroe County and the City of Rochester a place of outstanding quality of life for each and every person.

By building on past progress and uniting current efforts, the goals for the Council are to:

1. Unite efforts concerning people with disabilities.
2. Promote a countywide effort aimed at educating the community to initiate the changes and provide the resources that will remove attitudinal and environmental barriers.
3. Recognize and publicize efforts and changes that benefit people with disabilities.

B. ORGANIZATIONAL STRUCTURE

1. The Monroe County Legislature and the City Council of Rochester, by joint resolution, hereby create the County of Monroe-City of Rochester Council for People with Disabilities.
2. The Monroe County Executive and the Mayor of the City of Rochester shall jointly appoint members in accordance with the provisions, herein, to the Council. The Council will establish relationships with public, private and voluntary organizations on matters of importance to persons with disabilities.
3. The Council shall be an advisory council to the County Executive and the Mayor of the City of Rochester and shall maintain direct communications with the County Executive and Mayor or their designees.
4. The Council shall receive support through in-kind services from staff and other professionals provided by the County of Monroe and the City of Rochester.
5. The aforementioned City and County offices shall assist the Council with such information and other assistance as may be mutually determined.
6. The Council shall consist of no more than thirteen (13) appointed members. Four (4) of the members will be ex officio members and the remaining members will be volunteers from the community. The Council may designate committees of its membership to assist in its activities.
7. Individuals shall be appointed to the Council based on the contributions that they can make in implementing the mission, goals and objectives of the Council. Consideration should be given to include broad areas of representation from various disabilities, ethnic, racial, sex, age and socio-economic groups. Consideration should also be given to their place of residence to ensure

broad geographic representation.

8. The composition of the Council shall be follows:
 - a. At least one-half of the volunteer members shall be individuals with a disability, and they shall represent as wide a range of disabilities as possible.
 - b. An individual with a disability means any person who (a) has a physical or mental impairment, including, but not limited to, those of neurological, emotional or sensory organs, which substantially limits one or more of such person's major life activities; (b) has a record of such an impairment, or (c) is regarded as having such an impairment. (Equal Employment Opportunity Commission-Americans with Disabilities Act of January, 1992, Section II, page II-1).
 - c. Consideration for membership shall also take into account the following categories:
 - (1) Individuals with expertise in furthering the rights and opportunities of people with disabilities.
 - (2) Parents, children or caretakers of individuals with a disability.
 - d. Volunteer members shall serve two-year terms and shall not serve more than three terms in succession. Volunteer members may continue to serve beyond the expiration of their regular term until a replacement member is appointed by the City and County.
9. The County Executive and the Mayor of the City of Rochester shall each appoint two persons to participate in Council activities as ex officio members. Ex officio appointments may include members of the County Legislature, City Council or departmental staff. The ex officio members will be voting members of the Council. One of the two from each municipality should be an Americans with Disabilities Act (ADA) staff compliance officer who can attend meetings regularly.
10. The Council will select from among the members a Chairperson, Vice Chairperson, and Secretary.
11. The Council will recommend individuals, to the County Executive and Mayor, to be appointed as new council members.
12. The Council may establish standing and ad hoc committees.

C. RESPONSIBILITIES AND ACTIVITIES

1. Council members shall provide the leadership and direction of Council activities and be its decision-making body.
2. The first duty of the Council shall be to establish by-laws to govern itself, in accordance with the approved resolution and the model herein described.
3. The Council shall establish strategies to ensure the participation of its Members.

4. The responsibility of the Council shall be advisory, and in its advisory capacity to facilitate and recommend changes that will remove the social, resource and environmental barriers which discourage and limit people with disabilities from full participation in the community. To facilitate these changes the Council shall:
 - a. Advise and assist the County and City on matters within their respective jurisdictions relating to the needs of people with disabilities.
 - b. Serve as a spokesperson on behalf of people with disabilities by making recommendations to the County and City representatives, to the County Legislature and City Council, and to other public, private and voluntary organizations with respect to policies, programs and other activities relating to or affecting people with disabilities.
 - c. When requested, review and comment on existing and proposed federal, state and local legislation, policies, regulations and procedures relating to or affecting people with disabilities.
 - d. Initiate and facilitate activities to promote positive attitudes and better understanding of the needs and difficulties encountered by people with disabilities.
 - e. Identify and promote public policies and private sector initiatives, which address the needs, concerns and priorities of people with disabilities.
 - f. Cooperate with disability-related organizations, committees, and councils and with appropriate local, state and federal agencies and organizations in planning and implementing local programs for the benefit of people with disabilities.
 - g. Carry out other advisory duties consistent with the goals and objectives of this proposal.

D. FISCAL MATTERS

1. To further the provisions of this proposal, the County, by resolution, may accept, on behalf of the Council, any gift of money, or other grant or bequest, for Council purposes, and may apply such money or grant for Council purposes. Additionally, the County may, by resolution, accept on behalf of the Council, any interest in real property, and to apply or use such interest in real property for Council purposes. The County and not the Council, however, shall be the record holder of any such real property or interest therein.
2. Members of the Council may be reimbursed for expenses incurred in performance of their duties, but only so far as consistent with County and City procedures. Such expenses shall be equally shared between the County of Monroe and the City of Rochester.
3. The Monroe County Executive and the Mayor of the City of Rochester are authorized to promote any municipal cooperation agreements as may be necessary to effectuate the purposes of this resolution.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Norwood
August 21, 2001

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 289 - Authorizing The Sale Of Real Estate, As Amended

Int. No. 290 - Authorizing Release Of Easement On 1500 Hudson Avenue

Int. No. 291 - Determinations And Findings Relating To The Acquisition Of Fifteen Properties As Part Of The Fulton Avenue Challenged Street Project

Int. No. 275 - Approving The Acquisition Of Parcels For The Fulton Avenue Redevelopment Project By Negotiation Or Condemnation

Int. No. 276 - Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$456,500 Bonds Of Said City To Finance A Portion Of The Costs Of The Acquisition And Demolition Of Improvements On Designated Parcels Of Real Property Within The City's Fulton Avenue Redevelopment Project

Int. No. 292 - Determinations And Findings Relating To The Acquisition Of Eight Properties As Part Of The Project Turnaround Challenged Street Project

Int. No. 277 - Approving The Acquisition Of Parcels For The Project Turnaround Challenged Street Program By Negotiation Or Condemnation

Int. No. 278 - Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$156,900 Bonds Of Said City To Finance A Portion Of The Costs Of The Acquisition And Demolition Of Improvements On Designated Parcels Of Real Property Within The City's Project Turnaround Challenged Street Program

Int. No. 293 - Authorizing An Agreement For The Brown Street Project And Amending The 2001-02 Budget

Int. No. 294 - Appropriating Funds And Authorizing Agreements For The Neighbors Building Neighborhoods Program

Int. No. 295 - Appropriating Funds And Authorizing An Agreement For The Library Technology And Resource Accessibility Project And Amending Ordinance No. 2001-223, As Amended

Int. No. 296 - Appropriating Funds And Authorizing Agreements For Water Service Replacements

Int. No. 297 - Appropriating Funds For Neighborhood Beautification On Webster Avenue

Int. No. 298 - Authorizing An Agreement For The Culture Builds Communities Project

Int. No. 306 - Resolution Approving Appointment

To Electrical Examining Board

Int. No. 311 - Appropriating Funds For Cascade Historic District Development And Promotion

Int. No. 312 - Resolution Approving An Appointment To The Rochester Preservation Board

Int. No. 324 - Authorizing An Agreement Relating To The Creative City Initiative

The Housing and community Development Committee recommends for consideration the following entitled legislation:

Int. No. 299 - Authorizing Amendatory 1995-96 And 1996-97 Community Development Program Plans And An Agreement For The Central Park Cafe And Amending Ordinances No. 95-399 And 96-190

Int. No. 300 - Changing The Zoning Classification Of 893 North Goodman Street From R-2 Two-Family Residential To C-1 Neighborhood Commercial

Int. No. 301 - Changing The Zoning Classification Of 299-341 Whitney Street And 1 LaSalle Street From M Manufacturing Industrial To R-2 Two-Family Residential

Int. No. 309 - Authorizing Amendatory 1995-96, 1996-97 And 1997-98 Community Development Program Plans And Appropriating Funds For The Business Association Support Program And Amending Ordinance No. 97-222

Int. No. 310 - Authorizing An Amendatory 1995-96 Community Development Program Plan And Appropriating Funds For The Neighbors Shopping Neighborhoods Program

The following entitled legislation is being held in committee:

Int. No. 318 - Amending The Municipal Code Relating To Property Boundary Lines

Int. No. 319 - Resolution Extending The Policy For The Sale Of City-Owned Real Property To Tax Exempt Organizations

Int. No. 325 - Authorizing Execution Of An Agreement Of Cooperation Pursuant To Section 37[1](aa) Of The Public Housing Law Of New York State And Approving The Issuance Of Bonds For The Valley Manor Project By The Village Of East Rochester Housing Authority In Order For The Interest On The Bonds To Qualify For Exemption From Federal Income Taxation

Int. No. 326 - Authorizing Execution Of an Agreement Of Cooperation Pursuant To Section 37[1](aa) Of the Public Housing Law Of New York State And Approving The Issuance Of Bonds For The Kirkhaven Project By The Village Of East Rochester Housing Authority In Order For The Interest On The Bonds To Qualify For Exemption From Federal Income Taxation

Respectfully submitted,
Benjamin L. Douglas
Nancy K. Griswold
Lois J. Giess
Gladys Santiago
HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-280 and
Ordinance No. 2001-281
Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the sale of 16 properties and the release of an easement.

The first 14 properties to be sold were included in the public auction of May 14. The purchasers will be required to rehabilitate the properties and obtain Certificates of Occupancy within nine months of the conditional closing.

The next property, 587-599 Hudson Avenue, is currently a vacant lot. The purchaser will construct a meat market that he will operate. The purchase price was established by an independent appraiser, Robert Pogel.

The last property to be sold, 1143-1151 Hudson Avenue and 849-851 Norton Street, contains the former Pulaski branch library building. The prospective purchaser will rehabilitate the building as a computer technology and community center if adequate funds can be obtained within 12 months from the NYS Department of Parks and Historic Preservation and private sources.

The sale price was determined by the Division of Real Estate based upon a conditions survey performed by Bero Associates. Based on this survey, the estimated cost of rehabilitation is \$640,000. Rehabilitation will be completed within 18 months of receipt of adequate funding.

The easement to be released was authorized by the City Council on December 28, 1965. The easement was intended for construction and maintenance of a sewer line.

The line was never constructed and the Rochester Pure Waters District has indicated that there are no plans for construction. Release of the easement will permit construction of a loading dock by the new owner of the building, Walmart, Inc.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-94

Councilman Norwood moved to amend Introductory No. 289.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Ordinance No. 2001-280
(Int. No. 289, As Amended)

Authorizing The Sale Of Real Estate

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

Section 1. The Council hereby approves the sale of the following parcels of real estate by regular auction:

Address S.B.L.#	Price Purchaser	Legal Use
[62-64 1/2 Cady St. 120.60-1-32&33	\$1,700 Alex Massachi]	2 Family
280 Carter St. 091.82-2-29	2,200 Joseph J. Macko	1 Family
83-85 Delevan St. 106.73-3-3	4,500 Barbara Anselm	2 Family
47 Diringer Pl. 106.60-3-30	5,000 Alex Massachi	1 Family
716 Genesee St. 120.82-2-29	5,600 Carolyn & Eugene Reeves	1 Family
36 Herald St. 091.81-3-53	1,200 Alex Massachi	1 Family
15 Herbert St. 091.80-1-35	1,100 Samuel Milton	1 Family
[904-906 Jay St. 105.81-1-31.1 & 31.2	900 Neville Gordon]	1 Family
1 Kenmore St. 120.67-3-28	5,500 Eric Nicholson	1 Family
25 Peckham St. 091.64-2-62	6,800 James Maher	2 Family
595-599 Portland Ave. 106.26-2-21.1	5,800 Nabeel S. Saleh	3 Family
56 Saranac St. 090.76-1-14	9,500 Rubin DeJesus	2 Family
757-759 Smith St. 105.82-2-13	4,100 Central City Properties Inc.*	2 Family
762 Smith St. 105.74-3-38	2,400 Central City Properties Inc.*	1 Family

*Officers: Marie Mason, Steve McGlottain

Section 2. The Council hereby further approves the negotiated sale of the following parcel of vacant land with proposal:

Address S.B.L.#	Price Purchaser
587-599 Hudson Ave. 106.33-1-25,24, & 23	\$3,300 Halimeh Suliman

Section 3. The Council hereby further approves the negotiated sale of the following parcel of improved property with proposal:

Address S.B.L.#	Purchaser Price
1151 Hudson Ave. & 849-851 Norton St. 091.65-1-14 & 13	Group 14621 Community Association Inc.* \$500

*Officers: Theodore Wood, President; Barbara Parks, Vice President; Willie Smith, Secretary/Treasurer

Section 4. City taxes and other City charges, except water charges, against said properties are hereby cancelled 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 5. This ordinance shall take effect immediately.

Bracketed material deleted.

Passed unanimously.

Ordinance No. 2001-281
(Int. No. 290)

Authorizing Release Of Easement On 1500 Hudson Avenue

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

Section 1. The Council hereby approves the release of an easement for sewer purposes, as established pursuant to Ordinance No. 65-383, on the property at 1500 Hudson Avenue.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:

Ordinance No. 2001-282
Re: Determinations and Findings -
Fulton Avenue Redevelopment

Transmitted herewith for your approval is legislation approving the determinations and findings relating to the acquisition, by negotiation or condemnation, of 15 properties on Fulton Avenue. Such determinations and findings are required by Article 2 of the NYS Eminent Domain Procedure Law.

A public hearing concerning the acquisitions was conducted by the City Council on July 17. There were two speakers, who supported the acquisitions.

Based on the comments presented at the hearing, the following determinations and findings are proposed:

1. Project description - that the project include the acquisition of the properties, the demolition of the structures thereon, and the construction of up to 10 single-family houses and 10 rental units in five structures.
2. Project purpose - that the acquisitions and demolitions will reduce blighting conditions and that the construction of the new housing will expand the City's tax base, increase the value of existing properties, and provide additional housing opportunities.
3. Project effect - that the project will have no significant adverse environmental effects and indeed will assist in the revitalization of the neighborhood.

If these determinations and findings are approved, the legislation authorizing the acquisition of the properties and the issuance of the bonds to be used to finance the costs of acquisition and demolition (Introductorys 275 and 276) may be considered for approval.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-282
(Int. No. 291)

Determinations And Findings Relating To The Acquisition Of Fifteen Properties As Part Of The Fulton Avenue Challenged Street Project

WHEREAS, the City of Rochester proposes to acquire fifteen (15) properties as part of the Fulton

Avenue Challenged Street Project, and

WHEREAS, the Council of the City of Rochester held a public hearing on July 17, 2001 pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of these parcels.

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

Section 1. The Council hereby makes the following determination and findings concerning the acquisition of these properties as part of the Fulton Avenue Challenged Street Project:

- a. Project Location: The City proposes the public acquisition of the following parcels:

Address	SBL #
27-29 Fulton Av	105.60-1-4
124 Fulton Av	105.43-2-37
125 Fulton Av	105.43-2-48
129 Fulton Av	105.43-2-47
131-133 Fulton Av	105.43-2-46
134 Fulton Av	105.43-2-41
135 Fulton Av	105.43-2-45
143 Fulton Av	105.43-2-21
162-164 Fulton Av	105.43-1-29
207 Fulton Av	105.35-4-36
210 Fulton Av	105.35-2-52
212 Fulton Av	105.35-2-53
215-217 Fulton Av	105.35-4-32
225-225 1/2 Fulton Av	105.35-1-15
227 Fulton Av	105.35-1-14

- b. Public purpose and general effect:

1. These parcels have been designated for acquisition to further the objectives of the Fulton Avenue Challenged Street Project which calls for the reduction in the number of dwelling unit density, the expansion of certain private yard spaces, and the development of new residential structures on lots that will exceed the current standard for minimum buildable lot sizes. The City has already acquired other properties through various tax foreclosure and acquisition actions. In order to continue implementation of the plan, the City proposes to acquire these privately owned parcels to further the objectives of the project. The project will also enhance the value of nearby private properties by eliminating blighted property.
2. The general effects of the acquisition of these parcels on the environment and the residents of the immediate area will be beneficial. The project will have no significant adverse environmental effects. The resulting vacant land will provide sites for new rental units and single family owner-occupied homes. The acquisition and demolition of the fourteen (14) structures will immediately eliminate their blighting impact on surrounding properties and their effect as attractive nuisances.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Introductory No. 275 was introduced July 17, 2001, and appears in its original form with its transmittal letter on page 197 of the current Council proceeding.

Attachment No. AA-95

Ordinance No. 2001-283
(Int. No. 275)

**Approving The Acquisition Of Parcels For The
Fulton Avenue Redevelopment Project By Negotia-
tion Or Condemnation**

Passed unanimously.

Introductory No. 276 was introduced July 17, 2001,
and appears in its original form with its transmittal let-
ter on page 198 of the current Council proceeding.

Ordinance No. 2001-284
(Int. No. 276)

**Bond Ordinance Of The City Of Rochester, New
York Authorizing The Issuance Of \$456,500 Bonds
Of Said City To Finance A Portion Of The Costs
Of The Acquisition And Demolition Of Improve-
ments On Designated Parcels Of Real Property
Within The City's Fulton Avenue Redevelopment
Project**

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran,
Douglas, Griswold, Norwood, Santiago, Stevenson,
Thompson - 8.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-285
Re: Determinations and Findings -
Project Turnaround

Transmitted herewith for your approval is legislation
approving the determinations and findings relating
to the acquisition, by negotiation or condemnation,
of eight properties on Bernard, Loomis and Maria
Streets. Such determinations and findings are required
by Article 2 of the NYS Eminent Procedure Law.

A public hearing concerning the acquisitions was
conducted by the City Council on July 17. There were
four speakers, who supported the acquisitions.

Based on the comments presented at the hearing, the
following determinations and findings are proposed:

1. Project description - that the project include the
acquisition of the properties, the demolition of
the structures thereon, and the construction of
up to 20 single-family houses.
2. Project purpose - that the acquisitions and
demolitions will reduce blighting conditions
and that the construction of new housing will
expand the City's tax base, increase the value
of existing properties, and provide additional
housing opportunities.
3. Project effect - that the project will have no
significant adverse environmental effects and
indeed will assist in the revitalization of the
neighborhood.

If these determinations and findings are approved, the
legislation authorizing the acquisition of the properties
and the issuance of the bonds to be used to finance the

cost of acquisition and demolition (Introductory 277
and 278) may be considered for approval.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-285
(Int. No. 292)

**Determinations And Findings Relating To The
Acquisition Of Eight Properties As Part Of The
Project Turnaround Challenged Street Project**

WHEREAS, the City of Rochester proposes to
acquire eight (8) properties as part of the Project
Turnaround Challenged Street Project, and

WHEREAS, the Council of the City of Rochester
held a public hearing on July 17, 2001 pursuant to
Article 2 of the Eminent Domain Procedure Law to
consider the acquisition of these parcels.

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

Section 1. The Council hereby makes the following
determination and findings concerning the acquisition
of these properties as part of the Project Turnaround
Challenged Street Project:

- a. Project Location: The City proposes the public
acquisition of the following parcels:

Address	SBL #
8 Bernard St	106.24-2-70
22 Bernard St	106.24-2-67
28 Bernard St	106.24-2-66
34 Loomis St	106.23-3-61
53 Maria St	106.32-1-52
67 Maria St	106.32-1-45
72 Maria St	106.32-1-3
75 Maria St	106.23-3-60

- b. Public purpose and general effect:

1. These parcels have been designated for
acquisition under Phase I to further the objec-
tives of the Project Turnaround Challenged
Street Project which calls for the elimination
of vacant blighted properties in the project
area that are having a detrimental impact on
surrounding properties by reducing property
values and creating attractive nuisances that
increase public safety issues. Further, the
vacant land resulting from the acquisitions
and demolitions of the deteriorated structures
will allow for the construction of single fam-
ily owner-occupied structures, which will
increase the values of surrounding proper-
ties and begin a stabilization effect on area
streets.
2. The general effects of the acquisition of these
parcels on the environment will be beneficial.
The project will have no significant adverse
environmental effects. The acquisitions and
demolitions will immediately eliminate the
blighting impact of the structures and elimi-
nate them as attractive nuisances. The result-
ing vacant land will provide sites for future
single family owner-occupied homes.

Section 2. This ordinance shall take effect im-
mediately.

Passed unanimously.

Introductory No. 277 was introduced July 17, 2001, and appears in its original form with its transmittal letter on page 199 of the current Council proceeding.

Attachment No. AA-96

Ordinance No. 2001-286
(Int. No. 277)

Approving The Acquisition Of Parcels For The Project Turnaround Challenged Street Program By Negotiation Or Condemnation

Passed unanimously.

Introductory No. 278 was introduced July 17, 2001, and appears in its original form with its transmittal letter on page 199 of the current Council proceeding.

Attachment No. AA-96

Ordinance No. 2001-287
(Int. No. 278)

Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$156,900 Bonds Of Said City To Finance A Portion Of The Costs Of The Acquisition And Demolition Of Improvements On Designated Parcels Of Real Property Within The City's Project Turnaround Challenged Street Program

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 8.
Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-288
Re: Agreement - Monroe County, Brown Street Area Revitalization Project

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for receipt and use of \$100,000 for acquisition of properties in the Brown Street area.

The Brown Street Area Revitalization Project is a collaborative effort of the City and County, Neighborhood United, Providence Housing, Flower City Habitat for Humanity, and Urban League Economic Development Corporation. It is intended to revitalize the area through the acquisition and demolition or rehabilitation of residential structures and construction or new housing units.

To date, 15 properties have been acquired and 25 structures have been demolished. Fifteen rental units and 18 single-family houses have been constructed. An additional six houses are expected to be completed this construction season.

The grant from Monroe County will be used for the acquisition of additional properties. Receipt and use of a similar grant was authorized by the City Council on November 10, 1998.

Respectfully submitted,
William A. Johnson, Jr.

Mayor

Attachment No. AA-97

Ordinance No. 2001-288
(Int. No. 293)

Authorizing An Agreement For The Brown Street Project And Amending The 2001-02 Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe for funding for the acquisition of properties for the Brown Street Project.

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

Section 3. Ordinance No. 2000-215, the 2001-02 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$100,000, which amount is hereby appropriated from the funds to be received from the County of Monroe to fund the acquisition of properties for the Brown Street Project.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:
Ordinance Nos. 2001-289, 2001-290,
2001-291 and 2001-292
Re: CDBG Appropriations

Transmitted herewith for your approval is legislation appropriating a total of \$144,600 from the 2000-01 and 2001-02 Community Development Block Grants.

Program	Amount
Neighbors Building Neighborhoods	\$75,000
Library Technology and Resource	
Accessibility	12,900
Water Service Replacement	50,000
Webster Avenue Beautification	
Program	6,700

The legislation will also authorize any necessary agreements.

NBN

The NBN program was initiated in 1993. It resulted in the development of strategic action plans for 10 neighborhood sectors.

These plans, which were presented in 1996, contained 895 action steps. By 2000, when the plans were updated, 684 (76%) of these action steps had been completed.

The updated plans contain 433 action steps. A summary of the plans is available for review in the Office of the City Clerk.

The proposed appropriations will be used to sup-

port completion of some of the action steps and for general promotion of the NBN program. Similar appropriations were approved by the City Council on March 16, 1999.

Sector Planning Committees	\$50,000
Promotion and Advertising	25,000
Total	\$75,000

Library Accessibility

The accessibility project is intended to enhance the accessibility of the Central Library's collections for people with disabilities. It will involve the acquisition of the special equipment described in the attachment, training of Library personnel and promotion of the new services.

The costs of the project will be financed from the proposed appropriation, a similar CDBG appropriation from Monroe County, other federal funds and Library funds. The project is expected to begin in September and be completed in June, 2002.

Water Service Replacement

During projects involving the replacement of water mains, it is frequently determined that reconnection of older, galvanized water services — the pipes extending from the water main to structures — is not possible. In such instances, replacement of the water services is the responsibility of the property owner.

For eligible property owners, the cost of replacement can be financed by grants from the Residential Assistance Program, which is administered by neighborhood agencies. However, the funding available for the program is frequently inadequate to meet all grant requests and this inadequacy is more pronounced if, as a result of a water main project on a particular street, many water services need to be replaced.

The proposed appropriation is intended to provide supplemental resources specifically for water service replacement. To ensure that grant applications are processed in a timely manner, personnel from the Bureau of Housing and Project Development will determine eligibility, perform pre-inspection services and issue the work orders.

Bids for the work were received on June 28. The work will be performed by Air-Dee at the following unit prices.

<u>Work</u>	Summer	Winter
Install new water service (linear foot)	\$ 75	\$ 80
Curb box in lawn area (each)	75	75
Curb box in paved area (each)	100	150
Rock excavation and back fill (cubic yard)	100	150
Pit excavation and back fill (each)	400	575

It is estimated that 20-25 grants will be provided.

Webster Avenue Beautification

The beautification program has been proposed by North East Area Development as a replacement for the Adopt-A-Block program on Webster Avenue. It would extend from N. Goodman Street to Bay Street.

Under the program, NEAD will:

1. Plant shrubs across the street from the community center and plant, maintain and replace, as necessary, flowers along street easements and in designated planters;
2. Paint all existing bollards;
3. Perform monthly clean-ups from July through October, including the mowing and weeding of public right-of-way areas;
4. Send monthly mailings to area residents and businesses announcing the clean-ups and soliciting participation;
5. As necessary, provide assistance to senior citizens and residents with disabilities in the maintenance of yards; and
6. Purchase all necessary equipment, materials and supplies.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-98

Ordinance No. 2001-289
(Int. No. 294)

Appropriating Funds And Authorizing Agreements For The Neighbors Building Neighborhoods Program

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

Section 1. There is hereby appropriated from the Neighbors Building Neighborhoods Allocation of the 2000-01 Community Development Program the sum of \$75,000, or so much thereof as may be necessary, to support the Neighbors Building Neighborhoods Program.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary for the implementation of this Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-290
(Int. No. 295, As Amended)

Appropriating Funds And Authorizing An Agreement For The Library Technology And Resource Accessibility Project And Amending Ordinance No. 2001-223

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

Section 1. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program the sum of \$12,900, or so

much thereof as may be necessary, to fund the Library Technology and Resource Accessibility Project.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Board of Trustees of the Rochester Public Library for implementation of the Library Technology and Resource Accessibility Project. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. Ordinance No. 2001-223, relating to an agreement with the Urban League of Rochester, N.Y., Inc., to administer the Technical Assistance and Consulting Program, is hereby amended by amending Section 2 thereof to read in its entirety as follows:

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$45,000, and of said amount, or so much thereof as may be necessary, \$40,000 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program, and \$5,000 is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program. In said 2001-02 Allocation, the sum of \$5,000 is hereby transferred from the Landlord Tenant Services Account to the Technical Assistance and Consulting Program Account to fund this appropriation.

Section 4. This ordinance shall take effect immediately.

Underlined material added.
Passed unanimously.

Ordinance No. 2001-291
(Int. No. 296)

Appropriating Funds And Authorizing Agreements For Water Service Replacements

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

Section 1. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program the sum of \$50,000, or so much thereof as may be necessary, to fund the replacement of broken water services for income-eligible homeowners.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary for the implementation of this Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-292
(Int. No. 297)

Appropriating Funds For Neighborhood Beautification On Webster Avenue

BE IT ORDAINED, by the Council of the City of

Rochester as follows:

Section 1. The sum of \$6,700, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2000-01 Community Development Program to fund neighborhood beautification activities on Webster Avenue.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-293
Re: Agreement - Arts and Cultural Council,
Culture Builds Communities

Transmitted herewith for your approval is legislation authorizing an agreement with the Arts and Cultural Council for Greater Rochester, 277 N. Goodman Street, for administration of the 2001 Culture Builds Communities program. The maximum cost of this agreement will be \$40,000, which will be financed from the Housing Stock and General Property Conditions allocations of the 2000-01 Community Development Block Grant.

Culture Builds Communities is a joint venture with Citibank. It is designed to enhance neighborhood pride and promote participation in artistic activities.

The City has participated in the program since 1997. The most recent agreement for such participation was authorized by the City Council on July 18, 2000.

Proposals for the 2001 program were solicited by the Arts Council through public advertisement. Thirteen proposals were received.

These proposals were reviewed by a panel of representatives from diverse segments of the community. Attached is a description of the proposals recommended by the panel.

As may be seen, under the program, grants ranging from \$1,000 to \$20,000 will be provided to five neighborhood or school organizations. These organizations will be able to use the grants to finance artists' fees, the cost of supplies and materials and reasonable administrative expenses.

The cost of the proposed agreement is \$5,000 more than the cost of the current agreement.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-99

Councilman Norwood moved to amend Introductory No. 298.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Ordinance No. 2001-293
(Int. No. 298, As Amended)

Authorizing An Agreement For The Culture

Builds Communities Project

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Arts and Cultural Council for Greater Rochester for the Culture Builds Communities Project.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$40,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the [2000-01] 2001-02 Community Development Program.

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.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Resolution No. 2001-11
Re: Appointment - Electrical Examining Board
Transmitted herewith for your approval is legislation confirming the appointment of John Garven, of the New York Board of Fire Underwriters, to the Electrical Examining Board.

Mr. Garven will replace Gary General, also of the New York Board of Fire Underwriters, who resigned. His term will extend through December 31, 2003.

Mr. Garven will serve as the specified representative of a designated inspection agency. A copy of his resume is on file in the Office of the City Clerk.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Resolution No. 2001-11
(Int. No. 306)

Resolution Approving Appointment To The Electrical Examining Board

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

Section 1. The Council hereby approves the appointment of John Garven, of the New York Board of Fire Underwriters, to the Electrical Examining Board for a term which shall expire on December 31, 2003. Mr. Garven shall replace Gary General who has resigned.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance Nos. 2001-294,
2001-299 and 2001-300
Re: CDBG Appropriations - Business
Programs

Transmitted herewith for your approval is legislation appropriating a total of \$140,645 for the Business Association Support and Neighbors Shopping Neighborhoods Programs.

Business Association Support	\$ 68,851
Neighbors Shopping Neighborhoods	41,794
West End Development	30,000
Total	\$140,645

The Business Association Support Program provides funds to business associations for organizational, advertising, promotional and clean-up activities. The most recent appropriation, of \$45,000, was approved by the City Council on June 19.

The proposed appropriation will supplement this amount. It will be financed through the transfer of unused allocations for two other programs.

Program
Original Appropriation Unused Appropriation

Business Entrepreneurship		
\$ 25,000		\$25,000
Business Assistance		
114,474		38,849

The Neighbors Shopping Neighborhoods Program is designed to increase the patronage of city businesses. It involves the publication and distribution of a city-wide shopping guide, production of cable television and radio advertisements, and preparation of newspaper advertisements.

The most recent appropriation, of \$180,000, was approved by the Council on June 20, 2000. Of this amount, \$131,637 is unexpended.

The proposed appropriation will supplement this amount. It will be financed through the transfer of unused allocations for the Commercial Enhancement District Program.

Adjusted Appropriation	\$1,255,707
Expenses and Encumbrances	1,213,868
Unused Appropriation	\$ 41,839

The proposed appropriation for West End Development will finance the costs of installation of special street furniture and art within the Cascade Historic District.

The first two appropriations require amendment of the CDBGs. A public hearing on the amendment is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-294
(Int. No. 311)

Appropriating Funds For Cascade Historic District Development And Promotion

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

Section 1. The sum of \$30,000, or so much thereof

as may be necessary, is hereby appropriated from the Promoting Economic Stability Allocation of the 1995-96 Community Development Program to fund street furniture and art to support street improvements in the Cascade Historic District.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilman Norwood moved to amend Introductory No. 309.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Ordinance No. 2001-299
(Int. No. 309, As Amended)

Authorizing Amendatory 1995-96, 1996-97 And 1997-98 Community Development Program Plans And Appropriating Funds For The Business Association Support Program And Amending Ordinance No. 97-222

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

Section 1. The Council hereby approves an amendment to the 1995-96 Community Development Program Plan whereby the sum of \$20,928 shall be transferred within the Promoting Economic Stability Allocation from the Business Assistance Program Account to a new account for the Business Association Support Program.

Section 2. The Council hereby approves an amendment to the 1996-97 [City Development Fund] Community Development Program Plan whereby the sum of \$25,000 shall be transferred within the Promoting Economic Stability Allocation from the Business Entrepreneurship Program Account to a new account for the Business Association Support Program.

Section 3. The Council hereby approves an amendment to the 1996-97 [City Development Fund] Community Development Program Plan whereby the sum of \$13,273 shall be transferred within the Promoting Economic Stability Allocation from the Business Assistance Program Account to a new account for the Business Association Support Program.

Section 4. The Council hereby approves an amendment to the 1997-98 [City Development Fund] Community Development Program Plan whereby the sum of \$9,650 shall be transferred within the Promoting Economic Stability Allocation from the Business Assistance Program Account to a new account for the Business Association Support Program.

Section 5. The sum of \$20,928 is hereby appropriated from the Promoting Economic Stability Allocation of the 1995-96 Community Development Program, \$38,273 is hereby appropriated from the Promoting Economic Stability Allocation of the 1996-97 Community Development Program, and \$9,650 is hereby appropriated from the Promoting Economic Stability Allocation of the 1997-98 Community Development Program, or so much thereof as may be necessary, to fund the Business Association Support Program.

Section 6. The Mayor is hereby authorized to enter

into such agreements as may be necessary to implement the Business Association Support Program.

Section 7. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 8. Ordinance No. 97-222, relating to the Economic Development Programs, is hereby amended by reducing the amount appropriated in Section 4 therein by the sum of \$9,650, which amount is transferred and reappropriated herein.

Section 9. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

Ordinance No. 2001-300
(Int. No. 310)

Authorizing An Amendatory 1995-96 Community Development Program Plan And Appropriating Funds For The Neighbors Shopping Neighborhoods Program

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

Section 1. The Council hereby approves an amendment to the 1995-96 Community Development Program Plan whereby the sum of \$41,794 shall be transferred within the Promoting Economic Stability Allocation from the Commercial Enhancement District Account to a new account for the Neighbors Shopping Neighborhoods Program.

Section 2. The sum of \$41,794, or so much thereof as may be necessary, is hereby appropriated from the Promoting Economic Stability Allocation of the 1995-96 Community Development Program to fund the Neighbors Shopping Neighborhoods Program.

Section 3. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Neighbors Shopping Neighborhoods Program.

Section 4. The agreements shall contain such additional 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:

Resolution No. 2001-12
Re: Appointment - Rochester
Preservation Board

Transmitted herewith for your approval is legislation confirming the appointment of Elizabeth W. Wallace, 1400 East Avenue, to the Rochester Preservation Board.

Ms. Wallace presently is a member of the City Planning Commission. Under the provisions of section 115-16.A.(1) of the City Code, she is ineligible for reappointment to the Commission.

Ms. Wallace will replace R. Jon Schick, who has resigned. Her term will extend through August 31, 2004.

Ms. Wallace is a resident of the East Avenue Preservation District. A copy of Ms. Wallace's resume is on file in the Office of the City Clerk.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Resolution No. 2001-12
(Int. No. 312)

Resolution Approving An Appointment To The Rochester Preservation Board

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

Section 1. The Council hereby approves the appointment of Elizabeth W. Wallace, 1400 East Avenue, to the Rochester Preservation Board for a term which shall expire on August 31, 2004. Ms. Wallace will replace R. Jon Schick, who resigned.

Section 2. This resolution shall take effect immediately.

Adopted unanimously:
TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-295
Re: Agreement - Partners for Livable Communities, Creative City Initiative

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Partners for Livable Communities, of Washington, D.C., for continued participation by Rochester in the Creative City Initiative. The maximum cost of this agreement will be \$25,000, which will be financed from the Housing and General Property Conditions allocation of the 2001-02 Community Development Block Grant.

The Initiative, which began in January, is intended to assist municipalities and regions in developing strategies to utilize their amenities to encourage the development of "creative districts" in cities, where educational, research and technological activities are combined with arts and culture and food and entertainment experiences. The following fifteen other municipalities are participating in the project, which is an 18 month effort extending through June, 2002.

Charlotte, North Carolina
Kansas City, Missouri
Louisville, Kentucky
Marquette, Michigan
Maryland
Memphis/Shelby County, Tennessee
Oakland, California
Orlando, Florida
Prince George's County, Maryland
Roanoke, Virginia
St. Louis, Missouri
St. Paul, Minnesota
San Jose, California
Ventura, California
Wildwood, New Jersey

The Initiative includes...

1. Four workshops and a concluding forum; to date, one workshop has been held.
2. Provision of technical support by Partners; assistance has been provided to the City for one major project being planned.
3. Opportunities for information exchange among the participants through the Internet and newsletters; a Website has been created for the participants in the Initiative and a newsletter has been published with Rochester being the first city features.
4. Issuance of a report containing case studies, "best practices" and recommendations.

If the proposed amendatory agreement is approved, the total cost of the agreement with Partners will increase to \$50,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-295
(Int. No. 324)

Authorizing An Agreement Relating To The Creative City Initiative

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Partners for Livable Communities for participation in the Creative City Initiative.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$25,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program.

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 by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - Councilman Curran - 1.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-296
Re: Agreement - Northeast Neighborhood Alliance Community Land Corporation

Transmitted herewith for your approval is legislation authorizing an agreement with the Northeast Neighborhood Community Land Corporation for acquisition and rehabilitation of 271 Central Park, which is the former Roger's House. The maximum cost of the agreement will be \$31,883, which will be financed from the 1995-96 and 1996-97 Community Development Block Grants.

The property, which is owned by Corpus Christi Church, contains a 3,779 square foot, 1 1/2 story building. The building contains a restaurant and two apartments.

NENA plans to acquire and renovate the property. The restaurant space will be leased to Trena Gause, the owner of the restaurant, "A Taste of Soul", which is located at 38 St. Paul Street.

The estimated cost of the project is \$111,883.

Acquisition	\$ 55,000
Renovation	37,000
Fees	16,583
Working Capital	3,300
Total	\$111,883

This cost is expected to be financed as follows:

Bank Mortgage	\$ 75,000
CDBG	31,883
Equity	5,000
Total	\$111,883

The proposed CDBG appropriation requires amendment of the CDBG plans. A public hearing on the amendments is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilman Norwood moved to amend Introductory No. 299.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Ordinance No. 2001-296
(Int. No. 299, As Amended)

Authorizing Amendatory 1995-96 And 1996-97 Community Development Program Plans And An Agreement For The Central Park Cafe And Amending Ordinances No. 95-399 And 96-190

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

Section 1. The Council hereby approves an amendment to the 1995-96 Community Development Program Plan whereby the sum of \$10,000 shall be transferred from the Street Improvements Account of the General Community Needs Allocation to a new account for the Central Park Cafe in the Promoting Economic Stability Allocation.

Section 2. The Council hereby approves an amendment to the 1996-97 [City Development Fund] Community Development Program Plan whereby the sum of \$21,883 shall be transferred within the Promoting Economic Stability Allocation of the Community Development Program from the Neighborhood Commercial Program Account to a new account for the Central Park Cafe.

Section 3. The Mayor is hereby authorized to enter into an agreement with the Northeast Neighborhood Alliance Community Land Corporation for the Central Park Cafe Project.

Section 4. The agreement shall obligate the City

to pay an amount not to exceed \$31,883, and of said amount, or so much thereof as may be necessary, \$10,000 is hereby appropriated from the Promoting Economic Stability Allocation of the 1995-96 Community Development Program and \$21,883 is hereby appropriated from the Promoting Economic Stability Allocation of the 1996-97 Community Development Program.

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

Section 6. Ordinance No. 95-399, relating to the Edison Place Project, is hereby amended by reducing the amount appropriated therein by the sum of \$10,000, which amount is transferred and reappropriated herein.

Section 7. Ordinance No. 96-190, relating to the Economic Development Programs, is hereby amended by reducing the amount appropriated therein in Section 2 by the sum of \$21,883, which amount is transferred and reappropriated herein.

Section 8. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-297
Re: Zoning Map Amendment -
893 N. Goodman Street

Transmitted herewith for your approval is legislation amending the Zoning Map by changing the classification of 893 N. Goodman Street from R-2 Two-Family Residential to C-1 Neighborhood Commercial.

The property abuts C-1 uses to the north and east and R-2 uses to the south and west. The rezoning of the property was requested by its owner, Bruce Stanton, who owns and operates Bruce's Auto Shop, which is located on the adjacent property, 541-553 Bay Street. If the rezoning is approved, a variance will be requested from the Zoning Board of Appeals to construct an addition to his current facility.

The Planning Commission held an informational hearing on the proposed rezoning on July 30; there were five speakers, all of whom supported the rezoning. The Commission recommended by a vote of 6-0 that the rezoning be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation law and Chapter 48 of the City Code, it has been determined that the proposed rezoning will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-100

Ordinance No. 2001-297

(Int. No. 300)

Changing The Zoning Classification Of 893 North Goodman Street From R-2 Two-Family Residential To C-1 Neighborhood Commercial

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by changing the zoning classification of the following-described property, constituting 893 North Goodman Street, from R-2 Two-Family Residential to C-1 Neighborhood Commercial:

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 the point of intersection of the northerly line of Lot 10, in Section 10 of the Waklee Farm Tract as filed in the Monroe County Clerk's Office in Liber 3 of maps at page 10, extended easterly with the centerline of North Goodman Street;

Thence 1) Westerly along said extension and the northerly line of said Lot 10 to the northwesterly corner of said Lot 10;

Thence 2) Southerly along the westerly line of Lot 12 of said subdivision a distance of 42.11 feet more or less to the southwest corner of said Lot 12;

Thence 3) Southeasterly along the southerly line of said Lot 12 a distance of 166 feet more or less to the centerline of North Goodman Street;

Thence 4) Northeasterly along the centerline of North Goodman Street to the point or place of beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-298
Re: Zoning Map Amendment - 299 & 341
Whitney St./1 LaSalle St.

Transmitted herewith for your approval is legislation amending the Zoning Map by changing the classification of 299 and 341 Whitney Street and 1 LaSalle Street from M Manufacturing Industrial to R-2 Two Family Residential.

The properties abut M uses to the north, east and south and R-2 uses to the west. They contain a former tool and die building that is used as a church, the Divine Holy Ghost Tabernacle, and accessory parking lots.

The rezoning was requested by the church, The Divine Holy Ghost Tabernacle Predestinated Ministry. The City, the owner of 1 LaSalle Street, has consented to the request.

The rezoning would result in the legal use of 299 and

341 Whitney Street as a church and accessory parking lot. Such use is prohibited in M districts. It also would permit use of 1 LaSalle Street as an accessory parking lot, if the property is leased to or acquired by the church.

The Planning Commission held an informational hearing on the proposed rezoning on July 30; there was one speaker, who supported the rezoning. The Commission recommended by a vote of 6-0 that the rezoning be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the proposed rezoning will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-101

Ordinance No. 2001-298
(Int. No. 301)

Changing The Zoning Classification Of 299-341 Whitney Street And 1 LaSalle Street From M Manufacturing Industrial To R-2 Two-Family Residential

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by changing the zoning classification of the following-described properties, constituting 299-341 Whitney Street and 1 LaSalle Street, from M Manufacturing Industrial to R-2 Two-Family Residential:

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 the intersection of the LaSalle Street centerline and the Whitney Street centerline;

Thence 1) Westerly along the centerline of LaSalle Street a distance of 186 feet more or less to the northerly extension of the westerly line of Lot 4 as shown on a map of a subdivision of Lots 34 and 35 of the Whitney Tract as filed in the Monroe County Clerk's Office in Liber 6 of maps at page 63;

Thence 2) Southerly along said extension and the westerly line of said Lot 4 a distance of 147 feet more or less to the southwest corner of said Lot 4;

Thence 3) Easterly along the southerly line of Lots 3 and 4 of said subdivision and its easterly extension a distance of 186 feet more or less to the centerline of Whitney Street;

Thence 4) Northerly along the centerline of

Whitney Street a distance of 147 feet more or less to the point or place of beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-301 and
Ordinance No. 2001-302

Re: Agreement - East Rochester Housing
Authority, Nursing Home Financing

Transmitted herewith for your approval is legislation authorizing an agreement with the Village of East Rochester Housing Authority. The provisions of the agreement will include the approval by the City of the issuance of bonds by the Authority to finance or refinance projects at the Valley Manor and Kirkhaven Nursing Homes, both of which are located in Rochester.

The agreement and approval are required by section 37(1)(aa) of the NYS Public Housing Law. The approval will permit the Authority to issue tax exempt mortgage revenue bonds that are insured by the Federal Housing Administration.

The proceeds of the bonds issued for Valley Manor will be used to finance the construction of an assisted living facility, as an addition to the Schmitt Resource Center. The City Council approved the rezoning required for this construction on June 19.

The bonds also will refinance three outstanding mortgage notes to reduce interest costs. It is expected that, for both purposes, the total amount of bonds issued will be approximately \$8,990,000.

Assisted Living Facility	\$ 990,000
Refinancing	8,000,000
Total	\$8,990,000

The proceeds of the bonds issued for Kirkhaven will be used to refund existing bonds previously issued by the NYS Dormitory Authority. The refunding, totaling approximately \$7,500,000, is expected to reduce interest costs.

By approving issuance of the bonds, the City will assume no liability for payment of principal or interest on the bonds.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-301
(Int. No. 325)

Authorizing Execution Of An Agreement Of Cooperation Pursuant To Section 37(1)(aa) Of The Public Housing Law Of New York State And Approving The Issuance Of Bonds For The Valley Manor Project By The Village Of East Rochester Housing Authority In Order For The Interest On The Bonds To Qualify For Exemption From Federal Income Taxation

Whereas, the Presbyterian Residence Center Corporation, or its designee, organized under the laws of the State of New York as a not-for-profit corporation

having its offices at 1570 East Avenue, Rochester, New York (the "Institution") proposes to finance and refinance the costs of constructing and equipping its Valley Manor independent senior living facility located on approximately 5 acres of land owned by the Institution at 1570 East Avenue, in the City of Rochester, County of Monroe, State of New York (the "Project"). The Project will be owned and operated by the Institution; and

Whereas, the Institution has advised the City that the financing of the Project would be facilitated by the issuance of tax-exempt Revenue Bonds, Series 2001 (the "Bonds") by the Village of East Rochester Housing Authority (the "Authority") pursuant to section 41 of the Public Housing Law of New York State; and

Whereas, it is intended that interest on the Bonds will be exempt from federal income taxation pursuant to Section 145 of the Code; and

Whereas, as special obligations of the Authority payable solely out of the revenues, receipts or other payments derived from or in connection with the Project, the Bonds would not be a debt of the United States of America, the State of New York, the County of Monroe, the Village of East Rochester or the City of Rochester; and

Whereas, under the provisions of Section 37(1)(aa) of the Public Housing Law of the State of New York, the Authority is empowered to enter into an agreement of cooperation with a municipality which need not be within the territorial jurisdiction of the Authority to assist such municipality with the construction, maintenance, operation or management of a housing project; and

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

Section 1. In consequence of the foregoing, the City hereby determines to enter into the Agreement of Cooperation with the Village of East Rochester Housing Authority pursuant to Section 37(1)(aa) of the Public Housing Law of the State of New York. The Mayor of the City of Rochester is hereby authorized, on behalf of the City, to execute and deliver (by manual or facsimile signature) the Certificate of Approval of the Mayor and the Agreement of Cooperation and the City Clerk is hereby authorized to affix the seal (or a facsimile thereof) of the City to the Agreement of Cooperation and to attest to it, all in substantially the form presented to this meeting with changes, variations, omissions and insertions as the Mayor shall approve. The execution by the Mayor shall constitute conclusive evidence of that approval.

Section 2. In consequence of the foregoing, the City hereby approves the issuance by the Authority of its \$8,000,000 Revenue Bonds, Series 2001 for the purpose of refinancing the cost of acquiring, constructing and equipping the Project.

Section 3. This Ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

Ordinance No. 2001-302
(Int. No. 326)

Authorizing Execution Of An Agreement Of Cooperation Pursuant To Section 37[1](aa) Of The Public Housing Law Of New York State And Approving The Issuance Of Bonds For The Kirkhaven Project By The Village Of East Rochester Housing Authority In Order For The Interest On The Bonds To Qualify For Exemption From Federal Income Taxation

Whereas, the Genesee Valley Presbyterian Nursing Center, or its designee, organized under the laws of the State of New York as a not-for-profit corporation having its offices at 254 Alexander Street, Rochester, New York (the "Institution") proposes to refinance the costs of constructing and equipping its Kirkhaven nursing home facility located on approximately 1.3 acres of land owned by the Institution at 254 Alexander Street, in the City of Rochester, County of Monroe, State of New York (the "Project"). The Project will be owned and operated by the Institution; and

Whereas, the Institution has advised the City that the financing of the Project would be facilitated by the issuance of tax-exempt FHA-Insured Mortgage Revenue Bonds (GNMA Collateralized), Series 2001 (the "Bonds") by the Village of East Rochester Housing Authority (the "Authority") pursuant to section 41 of the Public Housing Law of New York State; and

Whereas, it is intended that interest on the Bonds will be exempt from federal income taxation pursuant to Section 145 of the Code; and

Whereas, as special obligations of the Authority payable solely out of the revenues, receipts or other payments derived from or in connection with the Project, the Bonds would not be a debt of the United States of America, the State of New York, the County of Monroe, the Village of East Rochester or the City of Rochester; and

Whereas, under the provisions of Section 37[1](aa) of the Public Housing Law of the State of New York, the Authority is empowered to enter into an agreement of cooperation with a municipality which need not be within the territorial jurisdiction of the Authority to assist such municipality with the construction, maintenance, operation or management of a housing project; and

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

Section 1. In consequence of the foregoing, the City hereby determines to enter into the Agreement of Cooperation with the Village of East Rochester Housing Authority pursuant to Section 37(1)(aa) of the Public Housing Law of the State of New York. The Mayor of the City of Rochester is hereby authorized, on behalf of the City, to execute and deliver (by manual or facsimile signature) the Certificate of Approval of the Mayor and the Agreement of Cooperation and the City Clerk is hereby authorized to affix the seal (or a facsimile thereof) of the City to the Agreement of Cooperation and to attest to it, all in substantially the form presented to this meeting with changes, variations, omissions and insertions as the Mayor shall approve. The execution by the Mayor shall constitute conclusive evidence of that approval.

Section 2. In consequence of the foregoing, the City hereby approves the issuance by the Authority of its \$7,500,000 FHA-Insured Mortgage Revenue

Bonds (GNMA Collateralized), Series 2001 for the purpose of refinancing the cost of acquiring, constructing and equipping the Project.

Section 3. This Ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

TO THE COUNCIL:

Ladies and Gentlemen:

Introductory No. 318 and

Introductory No. 319

Re: Real Estate Procedures

Transmitted herewith for your approval is legislation relating to the procedures for certain real estate transactions. This legislation will:

1. Authorize the Corporation Counsel to grant or accept minor easements required to remedy encroachments and to execute boundary line and driveway agreements; and
2. Approve revised guidelines concerning sales to tax exempt organizations.

The encroachment of a structure upon an adjacent property affects the ability to transfer title of either property. Usually, the encroachment is remedied through the granting or acceptance of an easement.

Under section 5-25 and 5-26 of the City Charter, all easements are required to be approved by the City Council. Depending upon the time that a need for an easement is determined, this requirement can sometimes delay the completion of real estate transactions.

To reduce the possibility of delay, it is requested that the Council authorize the Corporation Counsel to approve any easement of 3' or less that is necessary to remedy an encroachment. It is also requested that the Corporation Counsel be authorized to execute (shared) driveway and boundary line agreements.

The proposed authorizations for the Corporation Counsel are consistent with current practice with respect to real estate transactions. The Corporation Counsel has been delegated the authority to execute most such transactions under section 3-3R of the City Charter, which was enacted by the Council on June 20, 2000.

Under section 21-11 of the City Code, the Director of Real Estate is authorized to sell property to tax-exempt organizations in accordance with guidelines adopted by the Council. The current guidelines were adopted on February 19, 1992.

The guidelines are intended to provide the Division of Real Estate with general directions for sale negotiations and auctions. All sales, of course, are required to be approved by the Council.

Under the current guidelines, a property may be sold to a tax-exempt organization under the following circumstances:

1. The property contains less than 10,000 square feet or an amount of land negotiated with the Commissioner of Community Development and Council,
- 2.a. The property is within 500' of property already owned by the organization
or
- 2.b. The organization voluntarily waives its tax exemption and agrees to remit annual payments in lieu of taxes equivalent to the amount of taxes that would be paid by an owner that is not tax-exempt.
3. The organization agrees not to resell the property within 10 years without the approval of the Council.

An exception is provided for a property sale that "...is an integral part of a program or plan that the tax-exempt organization and the City have jointly developed."

Under the proposed guidelines, the limitation on the maximum size would be eliminated. In effect, the limitation already does not exist because of the discretion provided to the Commissioner.

Also, the requirement for tax payments and prohibition on resale would be applicable for only five years. This time period is consistent with the time period in which restrictions are imposed on property sales that do not involve a tax-exempt organization.

As a condition of such a sale, a purchaser is prohibited from reselling the property to a tax-exempt organization for a period of only five years. The City, therefore, is assured of receiving taxes for only that period.

The proposed changes in the guidelines would result in the same circumstances. The City would be assured of receiving tax payments for five years and the organization would be prohibited from reselling the property for a similar period.

Finally, the present exception would be restated as a condition. A requirement would be added for the "integral part of a program" to be evidenced by an agreement, contract or memorandum of understanding between the City and the organization.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Introductory No. 318

AMENDING THE MUNICIPAL CODE RELATING TO PROPERTY BOUNDARY LINES

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

Section 1. There is hereby added to the Municipal Code the following new Section:

§ 21-23. Property boundary lines.

The Corporation Counsel is authorized to grant and accept easements to resolve boundary line title issues, including building encroachments between City-owned parcels and adjacent parcels, and fence encroachments, of three feet (3') or less in width. The Corporation Counsel is further authorized to

enter into boundary line agreements and driveway agreements with the owners of parcels adjacent to City-owned parcels. Consideration for said easements and agreements may be set at \$1 (payment waived).

Section 2. This ordinance shall take effect immediately.

Held in committee.

Introductory No. 319

RESOLUTION EXTENDING THE POLICY FOR THE SALE OF CITY-OWNED REAL PROPERTY TO TAX EXEMPT ORGANIZATIONS

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

Section 1. The Council hereby determines that the City's policy shall be not to sell real property to a tax-exempt organization, unless:

- a. The property is within 500 feet of a tax-exempt property already owned by the organization, and the organization agrees to a deed restriction prohibiting resale of the property for ten years without City Council approval, or
- b. The sale is to another governmental agency for a public purpose, or
- c. The sale is an integral part of a program developed by the City and involving the tax-exempt organization, or
- d. The organization waives its tax-exempt status for five years and agrees to pay taxes for that period of time.

Section 2. This policy shall take effect immediately and shall remain in effect until repealed or amended by the Council.

Held in committee.

By Councilmember Mains
August 21, 2001

To the Council:

The Jobs, Finance and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 302 - Cancellation Of Taxes And Charges

Int. No. 303 - Amending The Descriptions Of The New York State Empire Zone

Int. No. 307 - Authorizing An Amendatory Agreement With Deloitte & Touche LLP For Audit Services

Int. No. 320 - Amending The 2000-01 Budget

The Jobs, Finance and Governance Committee recommends for consideration the following entitled legislation:

Int. No. 304 - Amending The Development Concept Plan For The Rochester Science Park, MIPD District #2, To Allow Biotechnology Uses

The following entitled legislation is being held in committee:

Int. No. 305 - Establishing Maximum Compensation For A Professional Services Agreement With WXXI Public Broadcasting For City 12

Respectfully submitted,
Tim O. Mains
Brian F. Curran
Nancy K. Griswold
Gladys Santiago
JOBS, FINANCE AND GOVERNANCE COMMITTEE

Received, file and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-303
Re: Cancellation or Refund of Erroneous
Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$116,121.21.

Of the total, \$105,029.11 (90.4%) relates to a property owned by the County of Monroe Industrial Development Agency. A property owned by COMIDA is exempt from property taxes but is required to make payments in lieu of taxes equivalent to the amount of taxes that otherwise would be paid.

Of the remaining amount, \$6,300 (5.4%) relates to code violation charges for two properties. The charges either are attributable to the former owner of the property or were levied in error.

The remaining amount, \$4,792.10 (4.1%) relates to two properties for which exemptions for senior citizen or historic building renovation were omitted.

This is the first cancellation during 2001-02. It represents .058% of the taxes receivable as of July 1.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-303
(Int. No. 302)

Cancellation Of Taxes And Charges

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

Section 1. The City Treasurer is authorized to cancel the following City taxes and charges.

- Property was transferred to COMIDA and should be tax exempt. Property owner makes Payment in Lieu of Tax.

<u>S.B.L.#</u>	<u>Class</u>	<u>Tax Year</u>	<u>Amount Canceled</u>
<u>Address</u>			
121.210-0001-031	NH	2002	\$105,029.11
69 Cascade Place			

- Code violations are applicable to former owner or levied in error.

<u>S.B.L.#</u>	<u>Class</u>	<u>Tax Year</u>	<u>Amount Canceled</u>
<u>Address</u>			
091.700-0002-023	H	2002	1,800.00
49 Trenaman Street			
135.230-0002-096	H	2002	4,500.00
950 Genesee Park Blvd			

- The following properties were granted exemptions by the 2001 Board of Assessment Review. The exemptions were not entered on the final 2001 Assessment Roll.

<u>S.B.L.#</u>	<u>Class</u>	<u>Tax Year</u>	<u>Amount Canceled</u>
<u>Address</u>			
121.750-0002-058	H	2002	1,991.32
146-148 Laburnam Crescent			
121.780-0001-021	NH	2002	—
2,800.78			
701 Mt. Hope Avenue			

Total: \$116,121.21

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-304
Re: NYS Empire Zone

Transmitted herewith for your approval is legislation approving a revised boundary description for the City's Empire Zone.

Under state law, municipalities may designate small geographic areas - up to two square miles or 1280 acres - in which special incentives may be provided to businesses that relocate to the areas or expand within them. These incentives include state tax credits and exemptions, reduced utility rates and, at the option of the municipalities, local sales tax exemptions.

The City's zone was established by the City Council on February 15, 1994. The boundaries of the zone were revised by the Council on October 14, 1994, July 27, 1997, December 19, 2000 and May 15, 2001.

The present zone contains approximately 1280 acres, which, as indicated above, is the maximum authorized size. Under the proposed legislation, approximately 353.32 acres of public right-of-way, residential properties included on a list on file in the City Clerk's Office, the Genesee River railroad property, publicly owned land and land owned by public utilities will be deleted from the zone, as permitted by recent changes in state law.

The legislation will also add the following parcels to the zone:

1. Lee Road Business Park, a 30-acre site containing a 400,000 square foot building. Lease of the building by several tenants is expected to result in the creation of 600 jobs.
2. Brooks Landing, a 12-acre site being developed as a hotel, conference center and restaurant, with office and retail space. The development is expected to result in the creation of 200 jobs.
3. Western Gateway, a 16-acre site being marketed by the City. Given the size of the vacant parcel, up to 200 jobs could be created.
4. Printing Methods, an eight-acre site at 1525 Emerson Street, at which the present facility will be expanded. The expansion is expected to result in the creation of 65 jobs.
5. Frontier Telephone of Rochester, a 1.3 acre site at 134 N. Plymouth Avenue, at which a Web hosting facility will be installed.
6. Various other, vacant parcels that are presently being marketed.

The total acreage of these parcels is 262.27 acres. Therefore, the total acreage available for future designations is about 91 acres.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-304
(Int. No. 303)

Amending The Descriptions Of The New York State Empire Zone

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

Section 1. The descriptions of the New York State Empire Zone, as established in Ordinance No. 94-26 and subsequently amended, are hereby further amended by adding as new parcels the parcels set forth on a list on file in the City Clerk's Office.

Section 2. The descriptions of the New York State Empire Zone, as established in Ordinance No. 94-26 and subsequently amended, are hereby further amended by deleting undevelopable parcels, including, but not limited to: public rights-of-way, residential parcels set forth on a list on file in the City Clerk's Office, the Genesee River, CSX property, publicly owned land and land owned by public utilities.

Section 3. The City Council of the City of Rochester requests that the New York State Commissioner of Economic Development amend the City of Rochester Empire Zone as described herein, with the new boundaries of the Empire Zone to be as set forth on a list on file in the City Clerk's Office.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-305
Re: Agreement - Deloitte & Touche,
Annual Audit

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Deloitte & Touche LLP, 2200 Chase Square, for additional services during the annual independent audit of the City and City School District. The maximum cost of this agreement will be \$12,500, which will be financed from the 2001-02 budgets of the City and District.

An annual independent audit is required by Section 6-24 of the City Charter. Historically, this audit has been performed by a nationally recognized accounting firm to ensure acceptance by the national financial community (e.g., municipal bond market). The current agreement for the audit, by Deloitte & Touche, was authorized by the City Council on February 17, 1998.

After that date, in June, 1999, the Governmental Accounting Standards Board issued Statement #34, which will require governments to include in their annual financial statements information concerning the value of their infrastructure and amount of depreciation. The required date of implementation is dependent on the total annual revenues of a municipality.

The required implementation date for Rochester is for the fiscal year ending June 30, 2002. However, the actual implementation date will be June 30, 2001.

Under the proposed amendatory agreement, Deloitte & Touche will provide the additional audit services that will be required because of the compliance by the City and District with Statement #34. The costs of the additional services will be allocated as follows:

Fiscal Year	City	District	Total
2000-01	\$5,500	\$2,100	\$ 7,600
2001-02	3,500	1,400	4,900
Total	\$9,000	\$3,500	\$12,500

If the proposed amendatory agreement is approved, the total cost of the agreement with Deloitte & Touche will increase to \$267,100 for the five-year audit period. An additional \$50,000 is allocated within the agreement for special audits.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-305
(Int. No. 307)

Authorizing An Amendatory Agreement With Deloitte & Touche LLP For Audit Services

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

Section 1. The sum of \$12,500, or so much thereof as may be necessary, is hereby established as the maximum compensation to be paid for an amendatory professional services agreement with Deloitte & Touche LLP to perform additional audit services relating to the financial statements of the City and City School District. Of said amount, \$9,000 shall be funded from the 2001-02 City budget for Undistributed Expense and \$3,500 shall be funded from the 2001-02 budget of the City School District.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-306
Re: 2000-01 Budget Amendment

Transmitted herewith for your approval is legislation amending the 2000-01 budget as follows:

1. Transfers of appropriations totaling \$910,000 from the Contingency Account to the following departments:

Fire	\$800,000
Parks, Recreation and Human Services Cash Capital	<u>110,000</u>
Total	\$910,000
2. Appropriation of unanticipated revenues totaling \$408,300 to increase the Cash Capital allocation of the Department of Environmental Services.

The appropriation transfers are authorized by section 6-13 of the City Charter. The appropriation of unanticipated revenues is authorized by section 6-14.

The City Council has previously authorized 29 other amendments to the 2000-01 budget. These amendments have involved four appropriation transfers and 25 increases in appropriations resulting from the receipt of additional revenue.

Actual receipts and expenditures for 2000-01 are being audited by the City's certified public accountants, Deloitte & Touche. The audit is scheduled to be completed by September 30, with the report to be available in October. The proposed amendment is required to complete the audit and ensure adherence to section 6-16 of the Charter, which prohibits expenditures in excess of authorized appropriations.

The transfer to the Fire Department involves additional appropriations for the following accounts:

Salaries and wages	\$445,800
Overtime	393,400
Medical expenses	<u>66,600</u>
Subtotal	905,800
Other account variances	<u>(105,800)</u>
Total	\$800,000

The additional amount for salaries and wages is required primarily because of greater than anticipated expenditures for:

1. Accrued leave paid at the time of separation from employment,
2. Out-of-title payments needed for adherence to the "rank for rank" requirement,
3. Trainee program,
4. Extra personnel hired in anticipation of retirements, and
5. "Buy back" of health insurance from personnel covered by other plans.

The additional amount for overtime is required primarily because of:

1. Higher than anticipated position vacancies, either because of retirements or illness and injuries,
2. Community outreach programs,
3. Emergency medical service training, and
4. Special event assignments.

The City will be reimbursed by the State of New York for the costs associated with the EMS training (\$44,000). The City also is reimbursed for the costs of the assignment of firefighters to certain special events, such as fireworks displays (\$37,000).

The additional amount for medical expenses relates to a greater number of injuries than anticipated and additional testing included in annual physicals.

The other account variances that offset some of the additional expense primarily involve motor vehicle charges, professional services, and supplies.

The transfer to the Cash Capital allocation of DPRHS will permit replacement of fencing at Riverside Cemetery and interim repair of fencing at Mt. Hope Cemetery. The replacement at Riverside is intended to improve security and, through an improvement in appearance, enhance the marketability of cemetery products. The interim repairs at Mt. Hope are intended to address certain damaged portions of the fencing. A more extensive repair program is included in capital campaign that was recently initiated by the Rochester Cemeteries Heritage Foundation.

The appropriation of unanticipated revenues involve the following reimbursements:

Monroe County - lease of space in Public Safety Building	\$286,200
New York State - acquisition of recycling equipment	<u>122,100</u>
Total	\$408,300

The County leases approximately 20,700 square feet of space in the PSB under an agreement authorized by the Council on January 16 and July 17, 1990. Under the terms of this agreement, it is required to reimburse the City for all utility costs associated with the leased space.

In the past, the City inadvertently undercharged the County for the utility costs. The aforementioned County reimbursement represents additional utility payments for the period from 1993-94 through 1997-98.

Under the Clean Water/Clean Bond Act of 1996, the NYS Department of Environmental Conservation provides partial reimbursement of the costs of programs designed to reduce the amount of solid waste. On April 15, 1997, the Council authorized the submission of applications for such reimbursements for various projects. The aforementioned state reimbursement represents partial payment of the costs of acquisition of asphalt recycling equipment.

The appropriation will be used for the acquisition of computer and other equipment for the new Technology Services unit of DES.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-306

(Int. No. 320)

Amending The 2000-01 Budget

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

Section 1. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$408,300, which amount is hereby appropriated from reimbursements from the County of Monroe and the State of New York.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$800,000 from the Contingency Account to the Fire Department.

Section 2. Ordinance No. 2000-232, the 2000-01 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$110,000 from the Contingency Account to the Cash Capital Allocation.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-307
Re: Rochester Science Park Development
Concept Plan

Transmitted herewith for your approval is legislation amending the Rochester Science Park Development Concept Plan. This amendment will eliminate the current prohibition on biotechnology uses within the park.

The Development Concept Plan was approved by the City Council on December 19, 1985. At that time, there was considerable discussion of whether biotechnology, genetic and gene research uses should be permitted within the park.

An amendment to the plan that was originally proposed, to permit such uses, was rejected by the Planning Commission. A similar amendment was tabled when the Council subsequently considered the proposed plan.

Biotechnology has since become one of the "industry clusters" of the Rochester region. Research performed at the University of Rochester Medical Center has resulted in the establishment of numerous biotechnological companies in the area.

Because of the prohibition, such companies are presently precluded from considering the Science Park as a site location, although five parcels remain undeveloped. If the proposed amendment is approved, the park will be a viable option for these companies.

The Planning Commission held an informational hearing on the proposed amendment on July 30; there was one speaker, who supported the amendment. The Commission recommended by a vote of 6-0 that the amendment be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of

the City Code, it has been determined that the proposed amendment will not result in any significant effects. A negative declaration has been issued.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-102

Ordinance No. 2001-307
(Int. No. 304)

Amending The Development Concept Plan For The Rochester Science Park, MIPD District #2, To Allow Biotechnology Uses

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

Section 1. Section 3.1(a) of the Development Concept Plan for the Rochester Science Park, MIPD District #2, as amended, is hereby further amended by deleting the words and symbols “, but excluding biotechnology, genetic and gene research” where they appear therein.

Section 2. Section 3.3 of the Development Concept Plan for the Rochester Science Park is hereby further amended by deleting subsection (a) thereof, and by relettering subsections (b) through (e) as subsections (a) through (d) respectively.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen

Introductory No. 305
Re: Agreement - WXXI, Channel 12

Transmitted herewith for your approval is legislation authorizing a six-month agreement with WXXI Public Broadcasting, 280 State Street, for continued operation of Channel 12, the City's government access television station. The maximum cost of the agreement will be \$87,111, which will be financed from the 2001-02 budget for Undistributed Expense.

The original agreement with WXXI was authorized by the City Council on December 17, 1991. The most recent agreement was authorized by the Council on February 13, 2001 and expired on June 30. Under the agreement, WXXI provides the primary transmission facilities and programming for Channel 12.

The purpose of the agreement is to increase the viewership of Channel 12 and to thus enhance the City's marketing and informational efforts. Through WXXI's access to and broadcast of program materials from the public broadcasting system, the amount of unprogrammed time on the channel is limited.

At present, regular programming is provided from 9:00 a.m. to 11:00 p.m. Thereafter, "bulletin boards" containing information about City job and contract opportunities, special events and community activities are shown.

WXXI is required to provide studio facilities for the City's production of up to 50 hours of programming each year. Currently, the City produces two regular half-hour shows each month about City services and events. It also produces various public service announcements that are shown between regular programs.

Under the proposed agreement, WXXI will continue to be required to operate Channel 12 for at least 14 hours each day. The City will advise WXXI of the amount of programming it will provide and WXXI will be responsible for providing sufficient programming to fill the remaining time.

The cost of the proposed agreement is equal to the

cost of the current agreement (\$84,165) adjusted by the percentage increase in the consumer price index (3.5%). The agreement may be terminated within 90 days by either party.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Introductory No. 305

ESTABLISHING MAXIMUM COMPENSATION FOR A PROFESSIONAL SERVICES AGREEMENT WITH WXXI PUBLIC BROADCASTING FOR CITY 12

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

Section 1. The sum of \$87,111, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and WXXI Public Broadcasting for the continued operation of City 12 for a term not to exceed six months. Said amount shall be funded from the 2001-02 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Held in committee.

The meeting was adjourned at 8:39 P.M.

CAROLEE A. CONKLIN
City Clerk

* * * * *

SPECIAL COUNCIL MEETING
August 23, 2001

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Thompson - 8.

Absent Councilman Stevenson - 1.

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.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

Introductory No. 328, was introduced August 21, 2001, and appears in its original form with its transmittal letter on page 224 of the current Council Proceeding.

Introductory No. 328

AUTHORIZING AN AGREEMENT FOR A FAST FERRY SERVICE TO TORONTO, LEASE OF THE TERMINAL BUILDING AND MANAGEMENT OF THE PORT OF ROCHESTER

TO THE COUNCIL:
Ladies and Gentlemen:

Resolution No. 2001-13
Re: Appointment - Rochester
Preservation Board

Transmitted herewith for your approval is legislation confirming the appointment of Sebastian Petix, 1314 Park Avenue, to the Rochester Preservation Board.

Mr. Petix will replace Peter Siegrist, who resigned because he accepted a position with the Landmark Society of Western New York, which could have resulted in possible conflicts of interest. Since Mr. Siegrist term has since expired, Mr. Petix' appointment will extend through August 31, 2004.

Mr. Petix is a resident of the East Avenue Preservation District. A copy of his resume is on file in the Office of the City Clerk.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Resolution No. 2001-13
(Int. No. 329)

**Resolution Approving Appointment To The
Rochester Preservation Board**

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

Section 1. The Council hereby approves the appointment of Sebastian Petix, 1314 Park Avenue, to the Rochester Preservation Board for a term which shall expire on August 31, 2004. Mr. Petix will replace Peter Siegrist.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 5:42 P.M.

CAROLEE A. CONKLIN
City Clerk

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**SPECIAL COUNCIL MEETING
August 30, 2001**

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - none - 0.

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.

**INTRODUCTION OF AND ACTION UPON LOCAL
LAWS, ORDINANCES AND RESOLUTIONS.**

Introductory No. 328, was introduced August 21, 2001 and appears in its original form with its transmittal letter on page 224 of the current Council Proceeding.

Introductory No. 328 was also tabled at the August 23, 2001 Special Council Meeting.

Councilman Curran moved to amend Introductory No. 328.

The amendment was not seconded.

The amendment failed.

Ordinance No. 2001-308
(Int. No. 328)

**Authorizing An Agreement For A Fast Ferry
Service To Toronto, Lease Of The Terminal Building
And Management Of The Port Of Rochester**

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Curran - 1.

The meeting was adjourned at 6:50 P.M.

CAROLEE A. CONKLIN
City Clerk

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**REGULAR MEETING
September 25, 2001**

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - none - 0.

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.

Recognition Ceremony

Awards:

NY Conference of Mayors - Local Government
Achievement Award
US Conference of Mayors - 3COM Urban Challenge Award

Retirement:

Fire Department
Jonathan Peer
*Samuel Obi
*Gary Stenclik
*Dennis Trocano
Police Department
Terrance Coleman
Sammie Drayton
Library
*Neva Brandt
*Marie Mielnicki
*Sandra Newport

*Not attending meeting.

**APPROVAL OF THE MINUTES
By Councilmember Douglas**

RESOLVED, that the minutes of the Regular Meetings of July 17, 2001, and August 21, 2001, Special Meetings of August 23, 2001, and August 30, 2001, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR,

COUNCIL PRESIDENT, CORPORATE OFFICERS
AND OTHERS.

The following communications are hereby directed
to be received and filed:

The Director of Zoning submits Notices of Environmental Determination.
618 Upper Falls Blvd., 379 Hudson & 387
Hudson Ave. 3672-7

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on
the following matter:

Reestablishing One-Way Northbound Traffic On
Beacon Street Int. No. 331

Approving Permanent Two-Way Traffic On Trust
Street Between Portland Avenue And Miller Street
And On Miller Street Between Trust Street And
Aebersold Street And Closure Of Miller Street To
Through Traffic Int. No. 332

Approving The Acquisition Of 532 Brown Street
For The Brown Street Project By Negotiation Or
Condemnation Int. No. 340

Changing The Zoning Classification Of 98 And 104
Ardmore Street And 24 Moran Street From R-2 Two
Family Residential To IPD#10 And Amending The
Current Plan For IPD#10 Int. No. 341

INTRODUCTION OF AND ACTION UPON LOCAL
LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-309 and
Ordinance No. 2001-310

Re: APCO Site Environmental Remediation

Transmitted herewith for your approval is legislation
relating to environmental remediation of the former
APCO General Contractors site. This legislation
will:

1. Authorize an agreement with The Sear-Brown
Group, 85 Metro Park, for additional remediation
services, at a maximum cost of \$1,370,500;
and
2. Authorize the issuance of bonds totaling
\$435,000 and appropriate the proceeds thereof
to partially finance this cost.

The former APCO site consists of nine parcels, totaling
6.9 acres, that are located in the residential area
generally bounded by E. Main Street, Atlantic Avenue,
Woodstock Street and Akron Street.

Eight of the parcels were acquired through tax foreclosure
proceedings. The other parcel was acquired
through condemnation.

Prior to their acquisition, the parcels had been used
since the 1930s by general contracting businesses. It
is intended that, in the future, they be used for residential
development.

On June 17, 1997, the City Council authorized an
agreement with Sear-Brown for an environmental
investigation of the site. This investigation identified
surface and subsurface soil contamination,

groundwater contamination, underground storage
tanks, construction and demolition debris, and various
other wastes.

A proposed clean-up plan was completed in 1998 and
approved by the NYS Department of Environmental
Conservation. This plan provides for:

1. Removal of all above- and under-ground storage
tanks;
2. Excavation and removal of construction and
demolition debris and contaminated soils; and
3. Design and construction of a system to treat
petroleum contaminated soil and groundwater.

On November 10, 1998, the Council authorized an
agreement with Sear-Brown for design of the required
remediation and completion of certain interim
clean-up activities at the site. On August 21, 2001,
the Council authorized an amendatory agreement for
additional remediation activities.

Under the proposed agreement, Sear-Brown will
implement the clean-up plan. Remediation is expected
to begin in October and require about 12 months to
complete. Soil and groundwater treatment systems are
expected to operate for 12-18 months thereafter.

Under the 1996 Clean Water/Clean Air Bond Act, the
City will be eligible for reimbursement of up to 75%
of the project costs. In addition, the State of New York
will indemnify the City and any subsequent owners
for any future additional costs.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-104

Ordinance No. 2001-309
(Int. No. 358)

Establishing \$1,370,500 As Maximum Compensation For A Professional Services Agreement With The Sear Brown Group For Environmental Remediation Of The Former APCO General Contractor's Site

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

Section 1. The sum of \$1,370,500, or so much
thereof as may be necessary, is hereby established as
the compensation to be paid for a professional services
agreement between the City and The Sear Brown
Group for environmental remediation of the former
APCO general contractor's site. Of said amount,
\$935,500 shall be funded from the appropriation
made in Ordinance No. 99-321 and \$435,000 shall
be funded from a bond ordinance for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-310
(Int. No. 359)

Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$435,000 Bonds Of Said City To Finance The Additional Cost Of Planning And Implementing Environmental

Remediation At The Former APCO Site Located Within The City At 79 Woodstock Road

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 the "City"), is hereby authorized to finance additional environmental remediation of the former APCO General Contractor's site which is located in the center of a residential neighborhood located between East Main Street, Atlantic Avenue, Woodstock Street and Akron Street in the City of Rochester, New York (the "Site"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,111,569, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$435,000 bonds of the City, together with the application of \$151,600 bonds previously appropriated in Ordinance No. 98-405, \$34,000 bonds previously appropriated in Ordinance No. 2001-269, \$1,490,969 in 1996 Clean Water Clean Air Bond Act Grant Funds appropriated in Ordinances No. 98-404 and 99-321, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$435,000 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 improvement 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 \$435,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.6-e of the Law, is twenty (20) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation of (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 Section 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal officer of the City.

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-311 and
Ordinance No. 2001-312
Re: Blue Cross Arena At The War Memorial

Transmitted herewith for your approval is legislation relating to the Blue Cross Arena at the War Memorial. This legislation will:

1. Reduce the amount of bonds previously authorized by the City Council for installation of a new scoreboard for \$1,450,000 to \$1,200,000; and
2. Authorize an agreement for partial reimbursement of the debt service on these bonds by Constellation Brands, Inc.

The Blue Cross Arena at the War Memorial is operated by SMG, Inc. under an agreement authorized by the City Council on June 25, 1998. Pursuant to an

agreement with SMG, the Rochester Amerks, Inc., have exclusive rights to advertising on the scoreboard, with 40% of the revenues remitted to SMG and 60% retained by the Amerks.

On May 16, 2000, the Council authorized an agreement with the Amerks for installation of a new scoreboard at an estimated cost of \$1,450,000. However, this agreement was never executed.

Under the proposed legislation, the City will acquire and install a new scoreboard at an estimated cost of \$1,200,000. It will repay the debt issued to finance this cost over a 10 year period, the maximum term authorized by the NYS Local Finance Law.

When interest is included, it is estimated that the average annual debt service will be \$152,000. Constellation will annually reimburse the City \$125,000 over a period of 12 years.

Accordingly, the City's total cost is expected to be about \$1,520,000, while total reimbursements are expected to be \$1,500,000. The City's net cost will therefore be about \$20,000, some or all of which will be offset by the sale of the existing scoreboard and the sale of the new scoreboard sometime in the future.

As consideration for the reimbursement, Constellation will be entitled to install the words "Constellation Brands" and its logo on each of the four sides to the scoreboard. It will also be entitled to receive the following other benefits:

1. An opportunity to present, without charge, one 30 second video during each Amerks and Rochester Knighthawks game;
2. An opportunity for one full page color advertisement in each Amerks and Knighthawks game program;
3. An opportunity to include one 30 second advertisement in each Amerks and Knighthawks radio or television broadcast;
4. 500 tickets to Amerks regular season games and 100 tickets to Knighthawks regular season games;
5. 100 tickets to other events at the arena, to be determined by SMG;
6. The opportunity to use one luxury suite for four Amerks or Knighthawks games and for eight other events determined by SMG, if all suites are not leased;
7. The opportunity to use meeting and banquet rooms on a space available basis; and
8. The right of first refusal of any event sponsorships to be offered to competitors of Constellation.

The agreement will have a term of 12 years. Constellation will have the right of first refusal for any scoreboard advertising or sponsorship after the agreement expires. The new scoreboard is expected to be installed in the summer of 2002.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-311
(Int. No. 360)

Reducing The Amount Established, Authorized And Appropriated In Bond Ordinance No. 2000-146 For Various Electronic Equipment For The Blue Cross Arena At The War Memorial

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

Section 1. Ordinance No. 2000-146, constituting a bond ordinance to fund the cost of the purchase and installation of new electronic equipment for the Blue Cross Arena at the War Memorial, is hereby amended by reducing the amount of the bonds established, authorized and appropriated in the title and in Sections 1, 2 and 3 thereof from \$1,450,000 to \$1,200,000.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

Ordinance No. 2001-312
(Int. No. 361)

Authorizing An Agreement For A New Scoreboard For The Blue Cross Arena At The War Memorial And Rescinding Ordinance No. 2000-143

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 Constellation Brands, Inc., the Rochester Amerks and SMG, Inc. for a new video scoreboard system for the Blue Cross Arena at the War Memorial. The City shall purchase and install the system. Constellation Brands, Inc. shall pay to the City \$125,000 annually for a term of twelve years. Constellation Brands, Inc. shall be allowed to place their name and logo on all four sides of the scoreboard and shall receive other consideration from the Rochester Amerks and SMG, Inc. SMG, Inc. shall be responsible for operating and maintaining the system in accordance with the terms of the current management agreement.

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

Section 3. Ordinance No. 2000-143, relating to reimbursement of the cost of the purchase and installation of a new scoreboard for the Blue Cross Arena at the War Memorial, is hereby rescinded.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson
September 25, 2001

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 330 - Authorizing An Agreement With The New York State Department Of Transportation For Snow Removal

Int. No. 344 - Establishing \$50,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Environmental Cleanup Of The Former Phototech Facility

Int. No. 345 - Establishing \$19,300 As Maximum Compensation For An Amendatory Professional Services Agreement For Architectural Services For The Building Renovation Program

Int. No. 347 - Amending The Municipal Code With Respect To Cemetery Fees

Int. No. 348 - Authorizing An Application And Agreement For A New York State Archives Grant And Amending The 2001-02 Budget

Int. No. 353 - Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$457,200 Bonds Of Said City To Finance The Cost Of Hazardous Substances Investigation And Planning And Implementing Environmental Clean-Up At The City's Bureau Of Water & Street Lighting Site At 10 Felix Street

The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 331 - Reestablishing One-Way Northbound Traffic On Beacon Street

Int. No. 332 - Approving Permanent Two-Way Traffic On Trust Street Between Portland Avenue And Miller Street And On Miller Street Between Trust Street And Aebersold Street And Closure Of Miller Street To Through Traffic

Respectfully submitted,
Robert J. Stevenson
Tony M. Thompson
Lois J. Giess
Gladys Santiago (Did not vote on Intro. No. 330.)
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-313
Re: Agreement - NYS Department of Transportation, Snow Removal

Transmitted herewith for your approval is legislation authorizing the extension of a three-year agreement with the NYS Department of Transportation for the provision by the City of snow and ice removal services on the following state highways:

1. Lake Avenue, from Lyell Avenue to W. Ridge Road; and
2. Plymouth Avenue, from Commercial to Troup Streets

The total length of these two streets is 2.7 miles.

The City has provided these services since 1978 pursuant to periodic agreements. The most recent agreement was authorized by City Council on February 13.

The proposed agreement extends the existing agreement from June 30, 2003 to June 30, 2004, an extension that is required by NYSDOT. However, the requirement for an agreement for snow removal services on Plymouth Avenue will actually be eliminated when jurisdiction of the street is transferred from the State to the City.

Under the terms of the proposed agreement, the State will reimburse the City \$32,820 for snow and ice removal performed during the 2001-02 winter, which is \$1,081 more than the prior amount.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-313
(Int. No. 330)

Authorizing An Agreement With The New York State Department Of Transportation For Snow Removal

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation for the provision by the City of snow and ice removal services on Lake Avenue, from Lyell Avenue to West Ridge Road, and on Plymouth Avenue, from Commercial Street to Troup Street, through June 30, 2004. The agreement shall obligate the State to reimburse the City for such services.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-314
Re: Agreement - IT Corporation,
Environmental Remediation

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with IT Corporation, 140 Allens Creek Road, for additional environmental remediation services at the former Phototech Imaging site at 1000 Driving Park Avenue. The maximum cost of the agreement will be \$50,000, which will be financed from 1999-2000 Cash Capital allocation of the Department of Environmental Services and anticipated reimbursements from the 1996 NYS Clean Water/Clean Air Bond Act program.

The Phototech site consists of approximately 12.5 acres and 17 buildings with over 100,000 square feet of space. The site was acquired by the City through tax foreclosure in 1997 and, following remediation, will be added to the adjacent Hollender Industrial Park.

On December 16, 1997, the City Council authorized an agreement with IT for environmental investigation of the site. On August 10, 1999, it authorized an amendatory agreement with IT for additional investigation services.

To date, IT has completed an environmental site assessment, pre-demolition asbestos survey, building and equipment decontamination survey, and subsurface tests to determine the nature and extent of soil, sediment and ground water contamination. It also has removed chemicals and petroleum from bulk storage tanks.

The environmental problems identified at the site have been more substantial than previously anticipated. As a result, the assessment, surveys and testing have required additional time and effort.

The proposed amendatory agreement will provide for payment of the costs of the additional services that have been necessary. These services have included the collection and analysis of additional samples of asbestos materials in the building roofs, other portions of the buildings, contents of the storage tanks, and soil and ground water.

The amendatory agreement will provide for completion of the Site Investigation/Remedial Alternatives Report, which will provide the basis for cleanup of the property. The report is expected to be completed in January, 2002.

The NYS Department of Environmental Conservation will then conduct a public hearing on the recommended cleanup plan and issue a Record of Decision. The cleanup is expected to involve the demolition of some or all of the existing buildings, asbestos abatement and soil and ground water remediation.

If the proposed amendatory agreement is approved, the total cost of the agreement with IT will increase to \$280,000. The City will be reimbursed by DEC for 75% of this cost.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-314
(Int. No. 344)

Establishing \$50,000 As Maximum Compensation For An Amendatory Professional Services Agreement For Environmental Cleanup Of The Former Phototech Facility

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

Section 1. The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory agreement between the City and International Technology Corporation for additional environmental investigation relating to the former Phototech Imaging Systems, Inc. site at 1000 Driving Park Avenue. Of said amount \$37,500 is hereby appropriated from anticipated reimbursements from the 1996 New York State Clean Water Clean Air Bond Act and \$12,500 shall be funded from the 1999-2000 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-315
Re: Agreement - Richard Alfred Mauser,
ADA Compliance Program

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Richard Alfred Mauser Architects, 91 Pinnacle Road, for the continued provision of architectural services related to the Americans with Disabilities Act Compliance Program. The maximum cost of this agreement will be \$19,300, which will be financed from the 1998-99 Cash Capital allocation of the Department of Environmental Services.

The ADA Compliance Program is designed to ensure that City facilities adhere to the standards of the ADA. The program has involved the completion at a cost of approximately \$3,325,000 of various specified improvements over a multi-year period, based on a building survey completed in 1993.

With two exceptions, compliance has been achieved at all buildings where there is a significant public use. The exceptions are the Monroe Avenue branch library, where the exterior street conditions make accessibility difficult, and the Lyell Avenue branch library, for which an expansion has been proposed.

The City facility at 414 Andrews Street contains units of the Bureau of Architecture and Engineering Division of Building Services, and Office of Records Management. In the past, there has been little need for the general public to visit the building.

Increasingly, however, the public is visiting the Office of Records Management to perform research. Modifications to the building are therefore necessary.

In May, DES executed an agreement with Mauser Architects to review building conditions and identify the specific modifications that are required. These modifications include:

1. Lowering of the lobby floor,
2. Installation of an elevator, and
3. Restroom improvements.

The estimated cost of the modifications is \$250,000.

Under the proposed amendatory agreement, Mauser Architects will design the improvements, prepare the construction specifications, assist in the review of bids, and provide design and inspection services during construction. If the agreement is approved, the total cost of the agreement with Mauser will increase to \$25,500.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-315
(Int. No. 345)

Establishing \$19,300 As Maximum Compensation For An Amendatory Professional Services Agreement For Architectural Services For The Building Renovation Program

BE IT ORDAINED, by the Council of the City of

Rochester as follows:

Section 1. The sum of \$19,300, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Richard Alfred Mauser Architects for the continued provision of architectural services for the Building Renovation ADA Improvement Program. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded from the from the 1997-98 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-316 and
Ordinance No. 2001-317
Re: Cemeteries

Transmitted herewith for your approval is legislation relating to Mt. Hope and Riverside cemeteries. This legislation will:

1. Amend the City Code to...
 - a. Increase the prices of graves in certain sections of Mt. Hope Cemetery;
 - b. Establish prices for graves in a newly developed section of Riverside Cemetery; and
 - c. Authorize the sale of upright markers and monuments;
2. Authorize an agreement with the NYS Archival Records Administration for receipt and use of a grant of \$47,217 to preserve burial records at Mt. Hope Cemetery; and
3. Amend the 2001-02 budget of the Department of Parks, Recreation and Human Services (Cemetery Fund) to reflect this grant.

City Code Amendment

The prices of land graves, lawn crypts and niches at both cemeteries vary according to location. The prices generally reflect demand and/or the cost of maintenance.

At Mt. Hope Cemetery, graves in the older sections of the cemetery are generally in greater demand because of the beauty of the sections and their historical nature. The older sections are also the most difficult areas to maintain.

The proposed price increases will apply to the following older sections:

	Current Price	Proposed Price
Section D		
Single Depth Interment	\$1,850	\$2,400
Double Depth Interment	-	3,200
Cremation Space	950	1,200
Sections C, S, T, V		
Single Depth Interment	1,600	2,400
Double Depth Interment	-	2,400
Cremation Spaces	800	1,200

The newly developed section at Riverside Cemetery is along Lake Avenue. Under the proposed legislation, the following prices for graves in this section will be authorized:

Single Depth Interment	\$1,225
Double Depth Interment	1,525
Cremation Space	600

For both cemeteries, the grave prices include a perpetual care fee of \$300. The prices for cremation spaces include fees of \$200 and \$125, respectively.

The proposed legislation will also authorize the sale of upright markers and monuments. The sale price will be 3.5 times the wholesale price, which is the same multiple that is currently applied to the sale of memorials, urns, flush markers and granite bases.

The following incremental revenue is expected to be received:

Graves and Cremation Spaces	
Mt. Hope	\$ 50,000
Riverside	27,000
Markers and Monuments	70,000
Total	\$147,000

The proposed prices and authorization of the sale of upright markers and monuments have been endorsed by the Cemetery Advisory Committee.

Records Preservation

On September 15, 2000, the City Council authorized an agreement with the Center for Governmental Research, Inc., for conduct of a survey of vital public records. The purpose of the survey was to identify the records that would be most difficult to recover or reconstruct after a disaster.

The burial records at Mt. Hope Cemetery were identified as being particularly vulnerable to loss. The records, which begin in 1837, are hand-written in 10 large catalogs or ledgers, which - because of frequent use - are in poor condition.

The proposed grant from the NYS Archival Records Administration will be used to finance the costs of microfilming the records, which contain information on approximately 350,000 burials, and preserving the catalogs in special archival containers. The containerization is intended to prevent further environmental damage to the records.

The project is expected to be completed by June, 2002. By that time, installation of an alternative, automated record system and conversion of the existing records is expected to be completed.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-105

Ordinance No. 2001-316
(Int. No. 347)

Amending The Municipal Code With Respect To Cemetery Fees

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

Section 1. Section 43-12 of the Municipal Code, relating to fees for cemeteries, as amended, is hereby further amended by amending subsection A(1)(d) by designating the current subsection as subsection A(1)(d)[1] and by adding thereto the following new subsection A(1)(d)[2]:

- [2] Group 4, New Section Y, Riverside Cemetery, Prestige: one thousand two hundred twenty-five dollars (\$1,225.) per single grave, single right of interment; one thousand five hundred twenty-five dollars (\$1,525.) per single grave, double right of interment; six hundred twenty-five dollars (\$625.) per cremation grave. A perpetual-care fee of three hundred dollars (\$300.) per single grave and one hundred twenty-five dollars (\$125.) per cremation grave is included in these fees.

Section 2. Section 43-12 of the Municipal Code, relating to fees for cemeteries, as amended, is hereby further amended by amending subsection A(1)(k) thereof to read in its entirety as follows:

- (k) Group 11, New Section D, Section C, Section S, Section T, Section V, Mt. Hope: two thousand four hundred dollars (\$2,400.) per single grave, single right of interment; three thousand two hundred dollars (\$3,200.) per single grave, double right of interment; twelve hundred dollars (\$1,200.) per cremation grave. A perpetual-care fee of three hundred dollars (\$300.) per single grave and two hundred dollars (\$200.) per cremation grave is included in these fees.

Section 3. Section 43-12 of the Municipal Code, relating to fees for cemeteries, as amended, is hereby further amended by amending subsection C thereof to read in its entirety as follows:

- C. Cemetery products. Bronze memorials and urns, upright markers, monuments, flush granite markers and granite bases shall be sold at three and five-tenths (3.5) times the wholesale cost, plus any necessary setting fee.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-317
(Int. No. 348)

Authorizing An Application And Agreement For A New York State Archives Grant And Amending The 2001-02 Budget

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the New York State Archives for funding for the preservation of cemetery records.

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

Section 3. Ordinance No. 2001-215, the 2001-02 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Parks, Recreation and Human Services by the sum of \$47,200, which amount is hereby appropriated from funds to

be received under the Grant Agreement authorized herein for the preservation of cemetery records.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-318
Re: Bonds - Environmental Remediation,
Felix Street

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$457,200 and appropriating the proceeds thereof to finance the costs of environmental remediation activities at the Department of Environmental Services facilities on Felix Street. Of the total amount, \$400,000 will finance the costs of remediation and \$57,200 will finance the cost of a Phase II environmental assessment.

The remediation and assessment relate to two sites. The first site, consisting of 1.7 acres, is the former refueling depot, while the second site, consisting of 7.4 acres, contains several buildings used by the Bureau of Water & Lighting for offices, equipment maintenance and storage.

The western portion of the site was part of the Erie Canal and was later part of the subway line. The northern portion contained a creek bed. Both portions were subsequently filled to grade.

The fuel depot operated for several decades and contained several large above- and below-ground fuel storage tanks. When the depot was decommissioned in the early 1980's, the tanks were removed and the fueling building demolished, but no soil and groundwater cleanup was performed.

From 1998 to 2001, Clough, Harbor & Associates conducted a series of subsurface investigations of the site. The investigations included soil test borings, test pits, the installation of 15 groundwater monitoring wells and the inspection of the trunk sewer located beneath the site.

The investigations indicated both soil and groundwater petroleum contamination. It is estimated that the contamination involves approximately 13,000 tons of soil and fill materials.

The City has entered into a Stipulation Agreement with the NYS Department of Environmental Conservation for remediation of the site. In April, proposals for the preparation of a Corrective Action Work Plan were solicited from three of the organizations that provide remediation services for the City. Sear Brown has been selected to prepare the plan, which will require the approval of DEC.

The site is expected to be redeveloped as part of the new facility of the Bureau of Water & Lighting. The cleanup standards used in the remediation will reflect this planned use.

The remediation is expected to involve:

1. Removal of the footers of the former fueling building,
2. Excavation and disposal of 3,000 to 4,000 tons

of contaminated soil and fill materials,

3. Dewatering of the excavation site and disposal of contaminated groundwater and the free petroleum products that are currently floating on the groundwater,
4. Installation of a free petroleum product recovery system,
5. Conduct of a health risk exposure assessment, and
6. Preparation of a closure report and long-term monitoring plan.

Completion of the remediation is expected to require about a year. The estimated cost of remediation is \$400,000.

The western portion of the second site, like that of the first site, was formerly part of the Erie Canal and subway line. It too was subsequently filled to grade.

The eastern portion of the second site was formerly used for the repair of trucks and heavy equipment. The buildings on the site contained repair garages, body and paint shops, machine and carpentry shops and parts and materials storage areas.

A Phase I environmental assessment of the site was completed in June by Day Environmental, Inc. The assessment identified several concerns involving floor drains, sumps, oil-water separators, storage tanks, stained floors, electrical transformers and the fill materials in the former canal/subway bed.

At the request of the City, Day will conduct a Phase II assessment, which will include:

1. Use of a magnetic locator to identify underground storage tanks,
2. Dye testing of floor drains to confirm their integrity and point of discharge,
3. Sampling and analysis of stained floors,
4. Evaluation of the former battery storage area and covered pits and sumps,
5. Test borings, and
6. Installation of three groundwater monitoring wells.

The assessment is expected to be completed in three months.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-106

Ordinance No. 2001-318
(Int. No. 353)

Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$457,200 Bonds Of Said City To Finance The Cost Of Hazardous Substances Investigation And Planning And Implementing Environmental Clean-Up At The City's Bureau Of Water & Street Lighting Site At 10 Felix Street

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 the "City"), is hereby authorized to finance the investigation of hazardous substances and environmental remediation design and interim clean-up of the Bureau of Water & Street Lighting site at 10 Felix Street in the City of Rochester, New York (the "Site"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$457,200, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$457,200 bonds of the City, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$457,200 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 improvement 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 \$457,200. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.6-e of the Law, is twenty (20) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation of (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 Section 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-319 and
Ordinance No. 2001-320

Re: Traffic Direction Changes

Transmitted herewith for your approval is legislation relating to traffic direction changes on Beacon Street and Trust and Miller Streets. The legislation affirms the existing traffic directions on these streets.

Beacon Street

On November 9, 1999, in conjunction with the University Avenue Improvement Project, the City Council approved a change in traffic direction on Beacon Street, from one-way northbound to two-way. This change had been reviewed with neighborhood residents at the public informational meetings that were held concerning the project.

However, subsequently, the residents requested that no change in traffic direction be made. A petition containing the signatures of 94% of the residents of the street was submitted requesting maintenance of one-way northbound traffic.

The proposed legislation will therefore rescind the prior legislation approving the change to two-way traffic. Because of the belated concern by residents about the change, it never was actually implemented.

Trust and Miller Streets

On December 19, 2000, the Council approved changes in the traffic direction on portions of Trust and Miller Street and the closure of another portion of Miller Street. The changes and closure were considered to be an experimental measure intended to reduce drug trafficking.

A report concerning the actual effect of the changes and closure was to be submitted after six months. However, because of a delay in actual implementation of the changes, on June 28, 2001, the experimental period was extended through September 30.

Attached is the required report. Based upon the report, the proposed legislation will approve permanent changes and closure.

The Traffic Control Board endorsed the proposed actions on July 17 and August 14, respectively. Public hearings on the actions are required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-107

Ordinance No. 2001-319
(Int. No. 331)

Reestablishing One-Way Northbound Traffic On Beacon Street

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

Section 1. Section 2 of Ordinance No. 99-397, creating two-way traffic on Beacon Street, is hereby rescinded, and Council hereby approves the reestablishment of one-way northbound traffic on Beacon Street.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-320
(Int. No. 332)

Approving Permanent Two-Way Traffic On Trust Street Between Portland Avenue And Miller Street And On Miller Street Between Trust Street And Aegersold Street And Closure Of Miller Street To Through Traffic

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

Section 1. The Council hereby approves the permanent change to two-way traffic on Trust Street between Portland Avenue and Miller Street, two-way traffic on Miller Street between Trust Street and Aegersold Street, and the closure of Miller Street as a through street between Aegersold Street and Trust Street, as was approved for a period of six months in Ordinance No. 2000-407, and subsequently continued by Ordinance No. 2001-222.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Douglas
September 25, 2001

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 333 - Establishing \$100,000 As Maximum Compensation For A Professional Services Agreement With The Rochester Philharmonic Orchestra For Public Concerts

Int. No. 334 - Authorizing Agreements For Human Services Programs

Int. No. 354 - Authorizing Agreements For The 2001 Youth Services Program

Int. No. 356 - Authorizing Applications And Agreements For Police Programs And Amending The 2001-02 Budget

Respectfully submitted,
Benjamin L. Douglas (Did not vote on Intro. No. 333 and Intro. No. 334.)
Robert J. Stevenson
Tony M. Thompson
Lois J. Giess (Did not vote on Intro. No. 356.)
Gladys Santiago (Did not vote on Intro. No. 356.)
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-321
Re: Agreement - RPO, Musical Services

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester Philharmonic Orchestra, 108 East Avenue, for various musical services. The maximum cost of the agreement will be \$100,000, which will be financed from the 2001-02 budget of the Department of Parks, Recreation and Human Services.

The musical services will include four orchestra concerts and four ensemble concerts. They also will include classical music education within city public elementary schools.

The four orchestra concerts will be similar to those provided annually since 1987-88 under comparable agreements. The concert schedule is as follows:

<u>Date</u>	<u>Event</u>	<u>Location</u>
October 19, 2001	High Falls Film Festival Concert	Eastman Theatre
December 9, 2001	Holidays On Ice*	Blue Cross Arena at the War Memorial
July 4, 2002	Patriotic Concert	Manhattan Square Park

*With a local chorus and the Genesee Figure Skating Club

The date and location of the fourth concert will be

determined in the future.

The four ensemble concerts have not yet been scheduled. The education curriculum will be developed by ensemble members and music and classroom teachers; thirty performances will be provided to approximately 5,000 students enrolled in grade three.

The cost of the proposed agreement is \$100,000, which is the same cost as the current agreement, which was authorized by the City Council on September 19, 2000. However, one less concert will be provided.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-321
(Int. No. 333)

Establishing \$100,000 As Maximum Compensation For A Professional Services Agreement With The Rochester Philharmonic Orchestra For Public Concerts

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

Section 1. The sum of \$100,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Rochester Philharmonic Orchestra for four (4) full orchestra public concerts, music education and four (4) smaller ensemble public concerts. Said amount shall be funded from the 2001-02 Budget of the Department of Parks, Recreation and Human Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-322
Re: Agreements - Human Services Programs

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for human services projects.

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
Rochester Step-Off Educational Foundation	Rochester Step-Off Expansion Project	\$62,000
Lewis Street Center	African Urban Cultural Organization	35,000
Lifespan	Safety and Security for Seniors	10,000
Group 14621	Say Yes to Yourself	50,000
Threshold Center for Alternative Youth Services	Members Against Teen Pregnancy	45,000
Arts and Cultural Council		

ArtWorks 40,000

The cost of the agreements will be financed from the General Community Needs allocation of the 2001-02 Community Development Block Grant.

All of the projects are classified as projects with matching funds except "Say Yes to Yourself", which is a Project Without Matching Funds. All of the agreements represent the second year of funding, except for the agreement for "Rochester Step", which represents the fourth year of funding.

Project descriptions and budgets are attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-108

Ordinance No. 2001-322
(Int. No. 334)

Authorizing Agreements For Human Services Programs

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for the following Human Services Programs:

<u>Organization</u> <u>Project</u>	<u>Amount</u>
Rochester Step-Off Educational Foundation	
Rochester Step-Off Expansion Project	\$62,000
Lewis Street Center	
African Urban Cultural Organization	35,000
Lifespan	
Safety and Security for Seniors	10,000
Group 14621	
Say Yes to Yourself	50,000
Threshold Center for Alternative Youth Services	
Members Against Teen Pregnancy	45,000
Arts and Cultural Council	
ArtWorks	40,000

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$242,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 2001-02 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-323
Re: Agreements - Youth Services

Transmitted herewith for your approval is legislation authorizing agreements with 14 organizations for the provision of various youth services. The maximum cost of these agreements will be \$315,000, which will be financed from the General Community Needs allocation of the 2000-01 Community Development Block.

In October, 2000, an interdepartmental committee was established to review both the youth programs that are currently provided by the City and the programs that are provided by other, comparable cities. Based upon this review, it identified needed services and activities that are not presently available.

Among these services and activities are after-school programs that contribute to the following youth "assets":

1. Empowerment
2. Commitment to learning,
3. Social competencies, and
4. Positive identities.

Proposals for the provision of appropriate programs were solicited through public advertising. Forty-four proposals, with costs totaling \$1.8 million, were received.

These proposals were reviewed by the interdepartmental committee, which assessed the likelihood that the programs would result in the following outcomes:

1. Improvement in academic performance,
2. Enhancement of citizenship and community responsibility,
3. Increase in exposure to positive role models, and
4. Increase in internal development.

The 14 programs recommended are expected to serve 1376 youth at an average cost per participant of \$229.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-109

Ordinance No. 2001-323
(Int. No. 354)

Authorizing Agreements For The 2001 Youth Services Program

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations in the following amounts, or the following amounts are allocated, for projects under the 2001 Youth Services Program:

Organization

Project	Amount
Junior Achievement of Rochester	
K-6 After School Project	\$20,000
Dial-A-Teacher, Inc.	
Outreach Project	25,000
Roland Williams Foundation	
Play It Smart Program	10,000
Society For The Protection and	
Care of Children	
Playaz 4 Peace	15,000
Gold School Unified Tae Kwon-Do	
Youth Climbing the Mountain	20,000
of Leadership	
YMCA	
Boys Choir	30,000
Scientific Linkages In The Community	
Young Citizens with Computers	30,000
Boys and Girls Club	
Youth Activity Enhancement	30,000
Baden Street Settlement	
Rites of Passage Program	25,000
Arthur Brown	
Teaching and Training by Design	20,000
Arts and Cultural Council	
Kuumba Kids	25,000
Rochester Broadway Theater League	
Theater Team	7,000
American Red Cross	
Teen Development	33,000
Church of Love Faith Center	
Eagle Youth Excellence in Music	25,000
Total	\$315,000

Section 2. The agreements shall obligate the City to pay an amount not to exceed \$315,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 2000-01 Community Development Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-324
Re: Police Grants

Transmitted herewith for your approval is legislation authorizing applications to and agreements with the NYS Division of Criminal Justice Services for the receipt of grants totaling \$275,391.

Program	Amount
Stop Violence Against Women	\$108,750
Juvenile Justice Accountability	
Conferencing	74,180
Juvenile Justice and Delinquency	
Prevention Program	92,461

The Stop Violence Against Women program is intended to improve the manner in which the criminal justice system responds to women who have been the victims of violence. The City has used the grants it has received under the program to finance a Domes-

tic Violence Response Team within the Family and Victims Services Unit.

The team consists of two counseling specialists, who respond to scenes of incidents of domestic abuse, and one victim assistance counselor, who provides post-incident services. As necessary, the team works with the Child Abuse Impact Team.

The Juvenile Justice grants will be used for continuation and expansion of the Juvenile Justice Restorative program, which provides juveniles who commit less serious offences with opportunities to meet with their victims to admit their guilt and develop a restitution contract. The acceptance of responsibility and compliance with the contract constitute an alternative to prosecution.

The 2001-02 budget will be amended to reflect the expected expenditures of the program during the current fiscal year.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-324
(Int. No. 356)

Authorizing Applications And Agreements For Police Programs And Amending The 2001-02 Budget

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

Section 1. The Mayor is hereby authorized to submit applications to and enter into agreements with the New York State Division of Criminal Justice Services for funding for the Juvenile Justice Accountability Incentive Program, Juvenile Justice and Delinquency Prevention Program and STOP Violence Against Women Program.

Section 2. Ordinance No. 2001-215, the 2001-02 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$140,000, which amount is hereby appropriated from funds to be received under the agreements authorized herein.

Section 3. The application and 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.

By Councilmember Norwood
September 25, 2001

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 335 - Authorizing The Sale Of Real Estate And Amending Ordinances No. 2000-59, 2001-283 And 2001-286, As Amended

Int. No. 338 - Authorizing An Agreement For Fair Housing Monitoring Services - \$70,000

Int. No. 339 - Appropriating Funds And Authorizing Agreements For Housing Subsidies

Int. No. 349 - Authorizing An Application And Agreement For Renewal Community Designation

Int. No. 357 - Resolution Approving An Appointment To The City Planning Commission

Int. No. 318 - Amending The Municipal Code Relating To Property Boundary Lines

Int. No. 319 - Resolution Extending The Policy For The Sale Of City-Owned Real Property To Tax Exempt Organizations

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 340 - Approving The Acquisition Of 532 Brown Street For The Brown Street Project By Negotiation Or Condemnation

Int. No. 341 - Changing The Zoning Classification Of 98 And 104 Ardmore Street And 24 Moran Street From R-2 Two Family Residential To IPD#10 And Amending The Current Plan For IPD#10

The following entitled legislation is being held in committee:

Int. No. 336 - Acquisition Of 28 And 32 Bryan Street For The Rochester City School District

Int. No. 337 - Authorizing A Lease Agreement For Space In The Sister Cities Parking Garage

Respectfully submitted,
Wade S. Norwood
Benjamin L. Douglas
HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-325,
Introductory No. 336 and
Introductory No. 337
Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the following real estate transactions:

1. Sale of eight properties,
2. Acquisition of two properties, and
3. Lease of commercial space in the Sister Cities parking garage.

The first seven properties to be sold were included in the public auction of May 14. Each purchaser will be required to rehabilitate the property and obtain a Certificate of Occupancy within nine months of the conditional closing.

The eighth property, 421-423 Parsells Avenue, will be sold to its former owner. The purchase price includes all delinquent taxes, interest and penalties.

Acquisition of the two properties, 28 and 32 Bryan Street, was requested by the Board of Education on August 16. Each of the properties contains a single-family house that is occupied by the owner.

Following acquisition, the houses will be demolished. The resultant vacant lots will be developed as additional parking for staff and visitors of Virgil S. Grisom School #7, which is located at 31 Bryan Street.

The purchase prices - \$71,000 and \$63,000, respectively - were established by an independent appraiser, Kevin Bruckner. The assessed values of the properties are \$50,000 and \$56,500.

The total estimated cost of acquisition, demolition and construction is \$284,000, which will be financed by the City School District.

The space to be leased in the Sister Cities parking garage consists of 367.5 square feet. It was formerly occupied by Erwin's Cleaners.

The proposed lease will provide for use of the space by Cronin Cruises, the principal of which is Patricia Cronin. Ms. Cronin will resign her position as Executive Assistant to the Cultural Center Commission to operate the business.

Cronin Cruises will provide travel services and will specialize in cruise vacations. It will operate from 8:30 a.m. to 5:30 p.m. each weekday.

Under the terms of the lease agreement, the tenant will be responsible for all renovation costs and the costs of utilities, maintenance and minor repairs, refuse removal and liability insurance. The agreement will have an initial term of two years with provision for renewal for two additional years.

The initial monthly lease payment, \$215, was established by an independent appraiser, Bruckner, Tillett, Rossi, Cahill & Leggett. The payment will be adjusted after the initial two years based upon the increase in consumer price index.

Respectfully submitted,
William A. Johnson, Jr.
Mayor
Attachment No. AA-110

Ordinance No. 2001-325
(Int. No. 335, As Amended)

Authorizing The Sale Of Real Estate And Amending Ordinances No. 2000-59, 2001-283 And 2001-286

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

Section 1. The Council hereby approves the sale of the following parcels of real estate by regular auction:

Address S.B.L.#	Price Purchaser	Legal Use
108 Berlin St. 091.80-4-37.1	\$ 900 Mayra Pimentel	2 Family
6 DeJonge St. 106.31-2-34	1,100 Mayra Pimentel	1 Family
1141 Goodman St. N 107.29-3-47	11,500 Adrianna Harris	2 Family
1149 Goodman St. N 107.29-3-46	14,500 Adrianna Harris	2 Family

971 Jay St.	900	3 Family
105.80-1-53	Gerald Serret	
28-30 Wadsworth St.	1,900	1 Family
106.41-4-70&69	Mia Slone-Davis	
105 Weld St.	6,800	3 Family
106.73-2-17.1	Nilia Massachi	

[Section 2. The Council hereby approves the sale of the following parcel of improved property to the former owner:

Address	Price
S.B.L.#	Purchaser
421-423 Parsells Ave.	\$7,968.28
107.63-2-3	Elijah & James Ponder]

Section [3]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. Ordinance No. 2000-59, relating to the sale of parcels for the Brown Street Project, is hereby amended by adding the following to the end of Section 1 thereof:

City taxes and other City charges, except water charges, against said properties are hereby canceled up to the date of closing for the reason that the City has agreed to convey said properties free of City tax liens and other charges.

Section 4. Ordinance No. 2001-283, relating to the acquisition of parcels for the Fulton Avenue Redevelopment Project, is hereby amended by increasing the amount authorized for the acquisition of 124 Fulton Avenue from \$19,000 to \$24,000, and for 143 Fulton Avenue from \$20,000 to \$26,000, thereby increasing the total acquisition costs to \$218,450, and the total acquisition and closing costs to \$261,450.

Section 5. Ordinance No. 2001-286, relating to the acquisition of parcels for the Project Turnaround Challenged Street Program, is hereby amended by increasing the amount authorized for the acquisition of 67 Maria Street from \$6,000 to \$7,500, thereby increasing the total acquisition costs to \$31,400, and the total acquisition and closing costs to \$53,400.

Section [4]6. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

Introductory No. 336

ACQUISITION OF 28 AND 32 BRYAN STREET FOR THE ROCHESTER CITY SCHOOL DISTRICT

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

Section 1. The Council hereby approves the acquisition of the parcel at 28 Bryan Street from the current owner, Gary Moravan, for an amount not to exceed \$71,000, and the acquisition of the parcel at 32 Bryan Street from the current owners, Paul and Pren Vulaj, for an amount not to exceed \$63,000, for use by the Rochester City School District to provide additional

parking at School #7.

Section 2. The acquisition and closing costs shall obligate the City to pay an amount not to exceed \$150,000, and said amount shall be funded by the City School District.

Section 3. City taxes and other current-year charges against said parcels shall be canceled from the date of closing forward. If the present owners have paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owners at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcels, shall also be canceled.

Section 4. This ordinance shall take effect immediately.

Held in committee.

Introductory No. 337

AUTHORIZING A LEASE AGREEMENT FOR SPACE IN THE SISTER CITIES PARKING GARAGE

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 Cronin Cruises for approximately 367.5 square feet of commercial space in the Sister Cities Parking Garage for two years, with a two-year renewal option.

Section 2. The agreement shall obligate Cronin Cruises to pay rent in the amount of \$215 per month, which amount may be adjusted for the renewal term based upon changes in the Consumer Price Index. The tenant shall be responsible for all utilities, maintenance and minor repairs, trash removal and liability insurance.

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.

Held in committee.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-326
Re: Agreement - PILOR, Community
Choice Action Plan

Transmitted herewith for your approval is legislation authorizing an agreement with Public Interest Law Office of Rochester, 80 St. Paul Street, for continued services relating to the implementation of the Community Choice (Fair Housing) Action Plan. The maximum cost of this agreement will be \$70,000, which will be financed from the Housing Stock and General Property Conditions allocation of the 2001-02 Community Development Block Grant.

The Action Plan was developed by the City, Monroe County, Towns of Greece and Irondequoit and Rochester Housing Authority, as recipients of federal housing assistance. The City's participation in development of the plan was authorized by the City Council

on February 20, 1999.

The plan includes 80 strategies to address the impediments to fair housing in the county. Strategy 50 provides for the continued monitoring of the mortgage lending of financial institutions.

Such monitoring has been performed by PILOR under periodic agreements. The most recent agreement was authorized by the Council on September 15, 1999.

Attached is a summary of the services provided under this agreement. A copy of the most recent report prepared by PILOR on lending in the Rochester area is on file in the Office of the City Clerk.

Under the proposed agreement, PILOR will continue to provide monitoring services. The cost of the proposed agreement is the same as the cost of the current agreement.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-111

Ordinance No. 2001-326
(Int. No. 338)

Authorizing An Agreement For Fair Housing Monitoring Services - \$70,000

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Public Interest Law Office of Rochester for continued services relating to the Community Choice (Fair Housing) Action Plan.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$70,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program.

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. 2001-327
Re: Agreement - Habitat For Humanity,
Housing Development

Transmitted herewith for your approval is legislation authorizing an agreement with Flower City Habitat for Humanity for housing development. The maximum cost of this agreement will be \$80,000, which will be financed from the 2001 HOME Program.

Habitat plans to construct 10 houses during the spring and summer of 2002. The houses will be constructed on six vacant lots on Rauber Street, that are presently owned by the City and on four other lots to be identified in the future.

The proposed legislation will provide \$8,000 for infrastructure improvements for each of the houses. Similar subsidies, for houses constructed or being constructed by Habitat during 2001, were approved by the City Council on February 13.

The houses will be sold to families selected by a Habitat committee. To be eligible for selection, a family must have...

1. No member receiving public assistance,
2. Annual income within 60% of the median family income,
3. Substandard rental housing at present, and
4. The ability to finance housing costs of \$425 a month plus utilities.

Each family must contribute 500 hours of "sweat equity" in building their house or the house of someone else, or contribute an equal amount of service at a neighborhood association or settlement house. The families also must attend seven workshops on home ownership.

The houses will be sold for approximately \$55,000. Habitat will provide a 20-year mortgage with an interest rate of 0%.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-112

Ordinance No. 2001-327
(Int. No. 339)

Appropriating Funds And Authorizing Agreements For Housing Subsidies

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

Section 1. There is hereby appropriated from 2001 Home Program Funds the sum of \$80,000, or so much thereof as may be necessary, to fund infrastructure subsidies for income-eligible home buyers.

Section 2. The Mayor is hereby authorized to enter into an agreement with Flower City Habitat for Humanity for housing development and to provide the subsidies.

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. 2001-328
Re: Application and Agreement - HUD,
Renewal Community Initiative

Transmitted herewith for your approval is legislation authorizing an application to and agreement with the U.S. Department of Housing and Urban Development for participation in the Renewal Community

Initiative.

The Initiative involves the provision of incentives to businesses and low-income housing projects located in designated census tracts. A summary of these incentives is attached.

The Initiative requires the development of a "Course of Action" that demonstrates the commitment of the City and other organizations. The City's Course of Action will include the following four strategies:

1. Improving local services,
2. Reducing crime,
3. Reducing government requirements, and
4. Involving community partners,

A summary of the activities related to these strategies is attached. A copy of the complete Course of Action is available for review in the Office of the City Clerk.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-113

Ordinance No. 2001-328
(Int. No. 349)

**Authorizing An Application And Agreement For
Renewal Community Designation**

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the United States Department of Housing and Urban Development for Renewal Community designation.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Resolution No. 2001-14
Re: Appointment - City Planning
Commission

Transmitted herewith for your approval is legislation confirming the appointment of David Watson, 234 Aldine Street, to the City Planning Commission.

Mr. Watson will replace William Clark, whose term has expired and who, under section 115-16.A.(1), is ineligible for reappointment. Mr. Watson's term will extend through September 30, 2004.

A copy of Mr. Watson's resume is on file in the Office of the City Clerk.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Resolution No. 2001-14
(Int. No. 357)

**Resolution Approving An Appointment To The
City Planning Commission**

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

Section 1. The Council hereby approves the appointment of David Watson, 234 Aldine Street, to the City Planning Commission for a term which shall expire on September 30, 2004. Mr. Watson will replace William Clark, whose term has expired.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-329
and Resolution No. 2001-15
Re: Real Estate Procedures

Transmitted herewith for your approval is legislation relating to the procedures for certain real estate transactions. This legislation will:

1. Authorize the Corporation Counsel to grant or accept minor easements required to remedy encroachments and to execute boundary line and driveway agreements; and
2. Approve revised guidelines concerning sales to tax exempt organizations.

The encroachment of a structure upon an adjacent property affects the ability to transfer title of either property. Usually, the encroachment is remedied through the granting or acceptance of an easement.

Under section 5-25 and 5-26 of the City Charter, all easements are required to be approved by the City Council. Depending upon the time that a need for an easement is determined, this requirement can sometimes delay the completion of real estate transactions.

To reduce the possibility of delay, it is requested that the Council authorize the Corporation Counsel to approve any easement of 3' or less that is necessary to remedy an encroachment. It is also requested that the Corporation Counsel be authorized to execute (shared) driveway and boundary line agreements.

The proposed authorizations for the Corporation Counsel are consistent with current practice with respect to real estate transactions. The Corporation Counsel has been delegated the authority to execute most such transactions under section 3-3R of the City Charter, which was enacted by the Council on June 20, 2000.

Under section 21-11 of the City Code, the Director of Real Estate is authorized to sell property to tax-exempt organizations in accordance with guidelines adopted by the Council. The current guidelines were adopted on February 19, 1992.

The guidelines are intended to provide the Division of Real Estate with general directions for sale negotiations and auctions. All sales, of course, are required to be approved by the Council.

Under the current guidelines, a property may be sold

to a tax-exempt organization under the following circumstances:

1. The property contains less than 10,000 square feet or an amount of land negotiated with the Commissioner of Community Development and Council,
- 2.a. The property is within 500' of property already owned by the organization
or
- 2.b. The organization voluntarily waives its tax exemption and agrees to remit annual payments in lieu of taxes equivalent to the amount of taxes that would be paid by an owner that is not tax-exempt.
3. The organization agrees not to resell the property within 10 years without the approval of the Council.

An exception is provided for a property sale that "...is an integral part of a program or plan that the tax-exempt organization and the City have jointly developed."

Under the proposed guidelines, the limitation on the maximum size would be eliminated. In effect, the limitation already does not exist because of the discretion provided to the Commissioner.

Also, the requirement for tax payments and prohibition on resale would be applicable for only five years. This time period is consistent with the time period in which restrictions are imposed on property sales that do not involve a tax-exempt organization.

As a condition of such a sale, a purchaser is prohibited from reselling the property to a tax-exempt organization for a period of only five years. The City, therefore, is assured of receiving taxes for only that period.

The proposed changes in the guidelines would result in the same circumstances. The City would be assured of receiving tax payments for five years and the organization would be prohibited from reselling the property for a similar period.

Finally, the present exception would be restated as a condition. A requirement would be added for the "integral part of a program" to be evidenced by an agreement, contract or memorandum of understanding between the City and the organization.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-329
(Int. No. 318)

Amending The Municipal Code Relating To Property Boundary Lines

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

Section 1. There is hereby added to the Municipal Code the following new Section:

§ 21-23. Property boundary lines.

The Corporation Counsel is authorized to grant and accept easements to resolve boundary line title

issues, including building encroachments between City-owned parcels and adjacent parcels, and fence encroachments, of three feet (3') or less in width. The Corporation Counsel is further authorized to enter into boundary line agreements and driveway agreements with the owners of parcels adjacent to City-owned parcels. Consideration for said easements and agreements may be set at \$1 (payment waived).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2001-15
(Int. No. 319)

Resolution Extending The Policy For The Sale Of City-Owned Real Property To Tax Exempt Organizations

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

Section 1. The Council hereby determines that the City's policy shall be not to sell real property to a tax-exempt organization, unless:

- a. The property is within 500 feet of a tax-exempt property already owned by the organization, and the organization agrees to a deed restriction prohibiting resale of the property for five years without City Council approval, or
- b. The sale is to another governmental agency for a public purpose, or
- c. The sale is an integral part of a program developed by the City and involving the tax-exempt organization, or
- d. The organization waives its tax-exempt status for five years and agrees to pay taxes for that period of time.

Section 2. This policy shall take effect immediately and shall remain in effect until repealed or amended by the Council.

Adopted unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Introductory No. 340
Re: Real Estate Acquisition -
532 Brown Street

Transmitted herewith for your approval is legislation authorizing the acquisition, by negotiation or condemnation, of 532 Brown Street at a maximum cost of \$18,500. The purchase price was established by an independent appraiser, Robert G. Pogel.

The property, which is vacant, will be used for the Brown Street Area Revitalization Project, a collaborative effort of the City, Monroe County, Neighborhood United, Providence Housing, Flower City Habitat for Humanity and Urban League Economic Development Corporation. It is intended to revitalize the area through the acquisition and demolition or rehabilitation of residential structures and the construction of new housing units.

To date, 15 properties have been acquired and 25

structures have been demolished. Fifteen rental units and 18 single-family houses have been constructed. An additional six houses are expected to be completed this construction season.

Following the proposed acquisition, the structure will be demolished, at an estimated cost of \$8,000. This cost, and the acquisition and closing costs, will be financed from the 1999-00 Cash Capital allocation.

Consideration by the City Council of the proposed legislation should be deferred pending the completion of determinations and findings for the proposed acquisition. A public hearing on the acquisition is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilman Norwood moved to return Introductory No. 340 to committee.

The motion was seconded by Councilman Mains.

The motion was adopted unanimously.

Introductory No. 340

APPROVING THE ACQUISITION OF 532 BROWN STREET FOR THE BROWN STREET PROJECT BY NEGOTIATION OR CONDEMNATION

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

Section 1. The Council hereby approves the acquisition of the following parcel from the current owners for amount not to exceed the following as a part of the Brown Street Project:

Address: 532 Brown St.
Reputed Owner: J. Simmons & Sharon Dygert
SBL #: 120.35-2-22
Amount: \$18,500

Section 2. The acquisition, demolition and closing costs shall obligate the City to pay an amount not to exceed \$30,000, and said amount, or so much thereof as may be necessary, shall be funded from the 1999-2000 Cash Capital Allocation.

Section 3. City taxes and other current-year charges against said parcel shall be canceled from the date of 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 still owns the parcel, shall also be canceled.

Section 4. In the event that said parcel cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for the acquisition of said parcel.

Section 5. This ordinance shall take effect immediately.

Returned to committee.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-330
Re: Unity Health System - Genesee Campus

Transmitted herewith for your approval is legislation relating to the Genesee Campus of Unity Health System, the former St. Mary's Hospital campus. This legislation will:

1. Amend the Current Plan for Institutional Planned Development District #10, which applies to the campus, by...
 - a. Changing its name from St. Mary's Hospital to Unity Health System - Genesee Campus, and
 - b. Providing for use of the campus for a variety of purposes, instead of as a hospital.
2. Amend the Zoning Map to include 98 and 100-104 Ardmore Street and 24 Moran Street within the IPD.

IPD #10 and its Current Plan were approved by the City Council on June 23, 1981. The IPD presently consists of 18 properties, which contain the former hospital building, an office building, the Bishop Kearney building, chapel, parking garage and surface parking lots.

A summary of the current uses of the buildings is attached. As indicated, the office building will be vacated to permit conversion of the building to a low-income senior housing facility with 33 units.

The proposed amendment to the Current Plan will reflect the change in use of the buildings within the IPD. The proposed amendment to the Zoning Map will add three properties to the IPD that are currently used for parking. Both amendments were requested by Unity Health.

The Planning Commission held a public hearing on the proposed amendments on August 13; there were two speakers, who supported the amendments. The Commission recommended by a vote of 5-0-1 that the amendments be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the proposed amendments will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-114

Ordinance No. 2001-330
(Int. No. 341)

Changing The Zoning Classification Of 98 And 104 Ardmore Street And 24 Moran Street From R-2 Two Family Residential To IPD#10 And Amending The Current Plan For IPD#10

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further

amended by changing the zoning classification of the following-described property, constituting 98 and 104 Ardmore Street and 24 Moran Street, from R-2 Two Family Residential to IPD#10:

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 on the northerly side of Moran Street at a point 160 feet westerly from the westerly line of Genesee Street as measured along the northerly line of Moran Street;

Thence 1) Southerly and parallel to the westerly line of Lot Nos. 5, 6 and 7 of the H.E. Smith Estate Subdivision and Genesee Street a distance of 33 feet to the centerline of Moran Street;

Thence 2) Westerly along the centerline of Moran Street a distance of 40 feet to the southerly extension of the westerly line of Lot Nos. 5, 6 and 7 of the H.E. Smith Estate Subdivision;

Thence 3) Northerly along said extension and the westerly line of said Lot Nos. 5, 6 and 7 a distance of 160.4 feet more or less to the northwest corner of said Lot 5 of said tract;

Thence 4) Easterly along the northerly line of said Lot 5 a distance of 40 feet to a point;

Thence 5) Southerly and parallel to the westerly line of said Lot Nos. 5, 6 and 7 through Lot Nos. 5, 6 and 7 a distance of 127.45 feet more or less to the point or place of beginning.

Also, 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 on the easterly side of Ardmore Street at a point 90 feet northerly from the northerly line of Moran Street;

Thence 1) Easterly and parallel with the northerly line of Moran Street a distance of 100 feet to a point;

Thence 2) Northerly and parallel with the centerline of Ardmore Street a distance of 79 feet to a point;

Thence 3) Westerly and parallel to the northerly line of Moran Street a distance of 130 feet to the centerline of Ardmore Street;

Thence 4) Southerly along the centerline of Ardmore Street a distance of 79 feet to a point;

Thence 5) Easterly and parallel to the northerly line of Moran Street a distance of 30 feet to the point or place of beginning.

Section 2. The Council hereby approves an amendment to the Current Plan for IPD#10-St. Mary's Hospital to change the name to Unity Health System-

Genesee Street Campus. The Council hereby further amends the current plan for IPD#10-Unity Health System-Genesee Street Campus to read as follows:

IPD#10

Unity Health System -Genesee Street Campus

A. Purpose: IPD#10 is intended to recognize and permit a defined area for the unified and orderly development of the Genesee Street Campus of Unity Health System, maintaining an integrated facility that provides a variety of community services. IPD districts allow flexibility in planning and development and provide a process for evaluating and accommodating incremental growth and change, thereby assuring compatibility with adjacent, noninstitutional districts.

B. Permitted uses: Permitted uses include, but are not limited to, the following uses when consistent with the above purpose and subject to the provisions of 115-65:

1. Community Centers
2. Clinics
3. Residential Buildings for Seniors
4. Residential Care Facilities
5. Nursing Homes and Hospice
6. Day Care Centers
7. Hospitals
8. Medical and Business Offices
9. Parking Lots and Garages

C. Accessory uses and structures: Accessory uses and structures are permitted in the IPD#10, subject to the provisions of D. below and consistent with the purpose indicated in A. above.

D. Bulk, space and yard requirements:

1. Maximum F.A.R.: 1.22
2. Maximum height: 40 feet
3. Minimum yard requirements:

(1) Along W. Main Street:

- (a) Parking lots and structures: 20 feet
- (b) Buildings: 0 feet

(2) Along Genesee Street:

- (a) Parking lots and structures: 10 feet
- (b) Buildings: 10 feet

(3) Along Residential District Boundary Lines:

- (a) Parking lots and structures: 20 feet
- (b) Buildings: 10 feet

(4) Other yards:

- (a) Parking lots and structures: 10 feet
- (b) Buildings: 10 feet

E. Parking: Off-street parking and loading requirements are set forth below, subject to the standards of 115-90:

1. Location: Parking for uses within IPD#10 may be located anywhere within the District.
2. Required Spaces: There shall be no requirement for uses in IPD#10. However, any such parking voluntarily provided shall comply with the provisions of 115-90C. of the City Zoning Ordinance.
- F. Regulations set forth in 115-95C(5) regarding telecommunication antennas and towers shall apply to this IPD.
- G. Amendments to or modifications of this district are subject to the procedures set forth in 115-27.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Mains
September 25, 2001

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 342 - Cancellation Of Taxes And Charges

Int. No. 343 - Establishing \$15,000 As Maximum Annual Compensation For An Amendatory Lease Agreement For Additional High Falls Maintenance Services

Int. No. 346 - Revenue Anticipation Note Ordinance Delegating To The Director Of Finance The Powers To Authorize the Issuance Of \$56,000,000 Revenue Anticipation Notes Of The City Of Rochester, New York, Or So Much Thereof As May Be Necessary, In Anticipation Of The Receipt Of Certain Revenues For The Fiscal Year Ending June 30, 2002, And To Prescribe The Terms, Form And Contents, And Provide For The Sale Of Such Notes

Int. No. 350 - Establishing \$25,000 As Maximum Compensation For A Professional Services Agreement For A Street Manager For Monroe Avenue

Int. No. 351 - Authorizing An Agreement With Frontier Communication Of Rochester, Inc. For Continuation Of Centrex Services

Int. No. 352 - Establishing \$277,500 As Maximum Compensation For A Professional Services Agreement With RC Hawaii Ltd. For Telecommunications Services

Int. No. 355 - Authorizing Agreements For The Service Learning Institute Of Rochester

Respectfully submitted,
Tim O. Mains
Brian F. Curran
JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-331
Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$16,547.65.

Of the total, \$7,077.50 (42.8%) relates to code violation charges for two properties. The charges are attributable to the former owners of the properties.

An additional \$4,243.60 (25.6%) relates two properties purchased by the Rochester-Genesee Regional Transportation Authority in June, 2000, prior to the taxable status date. The Authority is exempt from property taxes.

Of the remaining amount, \$3,812.81 (23.0%) relates to a property owned by City of Judah Fellowship, Inc., which is also exempt from property taxes and \$1,413.74 (8.6%) relates to a property owned by Housing Opportunities HSG Development, which remits payments in lieu of taxes.

If these cancellations are approved, total cancellations during 2001-02 will be \$143,049.16.

	Accounts	Amounts
City Council	11	
\$132,668.86		
Administrative	31	—
<u>10,380.30</u>		
Total	42	
\$143,049.16		

These cancellations represent .72% of the taxes receivable as of July 1, 2001.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-331
(Int. No. 342)

Cancellation Of Taxes And Charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges:

- a. Code violations attributed to the former owner were not presented at time of closing.

S.B.L.#	Class	Tax Year	Amount Cancelled
<u>Address</u>			
091.540-0001-024.1	H	2002	\$
1,077.50			
1607 N. Clinton Ave.			
091.540-0001-044	NH	2001	
6,000.00			
1525 N. Clinton Ave.			

- b. Church property has been used as such since its purchase in 1998 by qualified religious corporation. Property is legally tax exempt.

106.520-0003-009	NH	2000	\$

1,620.01
877 N. Goodman St. 2001
2,192.80

- c. Property purchased by Rochester Genesee Regional Transit Authority prior to taxable status date for 2001 Final Assessment Roll. Property is exempt from general municipal taxes.

107.700-0001-085 NH 2002 \$
2,121.80
1454-1460 E. Main St.
107.700-0001-088 NH 2002
2,121.80
1476 E. Main St.

- d. Property used as a qualifying housing project and should be 100% exempt from municipal taxes. Owner makes Payment in Lieu of Tax (PILOT) for city/school purposes.

121.680-0002-058 H 2002 \$
1,413.74
918 Monroe Ave.

Total
\$16,547.65

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-332
Re: High Falls Festival Site Maintenance

Transmitted herewith for your approval is legislation relating to the maintenance of the High Falls Festival Site. This legislation will authorize a two year agreement with the High Falls Development Corporation (principal: Ben Kendig), 1 Mt. Hope Avenue, for continued maintenance services at an annual cost of \$15,000, which will be financed from the current and future budgets of the Department of Environmental Services.

As you are aware, the corporation is the owner, developer and operator of the High Falls (formerly Gorsline) Building, which is adjacent to the festival site. Under agreements authorized by the City Council on October 14, 1997 and May 20, 2000, it leases the festival site and the two floors of the building over which the festival site terrace is located.

The corporation therefore has a significant interest in the maintenance of the festival site areas. Because of the proximity of the High Falls Building, it also has a capability to provide maintenance services.

Under the first aforementioned lease, the corporation already has responsibility for normal maintenance of the festival site and terrace areas, except after festivals. Under an agreement authorized by the Council on August 22, 2000, the corporation provides the following additional services in certain designated areas:

In areas A, B and C:

Litter and trash removal
Routine graffiti removal
Repair and reset pavers as needed
Reseal pavers every two years
Annual fertilizing and mulching of landscape beds and watering and weeding as needed

In addition, in area A:

Cleaning and removal of grease, oil stains and tire marks on pavers and concrete surfaces
Painting of metal surfaces
Snow plowing and removal and deicing as needed

In addition, in area C:

Repoint stone walls as needed
Repair and paint plastered walls on terrace as needed
Paint fences and railings as needed
Replace light bulbs as needed
Provide weekly cleanup of the "shelf" area contiguous to the terrace

Under the proposed agreement, the Corporation will continue to provide these services. The annual cost of the proposed agreement is the same as the cost of the current agreement.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-115

Ordinance No. 2001-332
(Int. No. 343)

Establishing \$15,000 As Maximum Annual Compensation For An Amendatory Lease Agreement For Additional High Falls Maintenance Services

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

Section 1. The sum of \$15,000, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for an amendatory lease agreement between the City and High Falls Development Corporation for additional High Falls maintenance services for a term not to exceed two years. Said amount shall be funded from the 2001-02 and future budgets of the Department of Environmental Services, contingent upon approval of said budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-333
Re: RAN - City School District

Transmitted herewith for your approval is legislation authorizing the issuance of revenue anticipation notes totaling \$56 million. This legislation was requested by the Board of Education on July 19.

The City issues revenue anticipation notes for the District because of the difference between the time at which the District expends and receives funds. The

District usually expends funds at a fairly uniform rate. However, it receives its allocations of state education aid - its major revenue source - somewhat sporadically.

In 2001-02, the District began to experience a cash deficiency during the second week of the fiscal year. The City has been providing temporary loans to the District since that time.

The cash deficiency at that time resulted from a significant reduction in the cash balance at the end of the 2000-01 fiscal year. The balance as of June 30, 2000 was approximately \$34.7 million, while the balance as of June 30, 2001 was approximately \$11 million. The reduction in the balance is attributable to the use of reserves during 2000-01.

The cash deficiency is expected to increase to about \$56 million by the first week of November. The proceeds of the proposed RAN will compensate for this deficiency.

The amount of the proposed RAN is \$29 million more than the amount of the 2000-01 RAN, which was authorized by the City Council on December 19, 2000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-333
(Int. No. 346)

Revenue Anticipation Note Ordinance Delegating To The Director Of Finance The Powers To Authorize The Issuance Of \$56,000,000 Revenue Anticipation Notes Of The City Of Rochester, New York, Or So Much Thereof As May Be Necessary, In Anticipation Of The Receipt Of Certain Revenues For The Fiscal Year Ending June 30, 2002, And To Prescribe The Terms, Form And Contents, And Provide For The Sale Of Such Notes

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), the power to authorize the issuance of Revenue Anticipation Notes (herein called "Notes") of the City of Rochester, in the State of New York (the "City" and "State", respectively), in the aggregate principal amount of not to exceed \$56,000,000, and any notes in renewal thereof, is hereby delegated to the Director of Finance, as chief fiscal officer of the City.

Section 2. The Notes shall be issued in anticipation of the collection or receipt of revenues due and payable to the City School District in the current fiscal year from New York State Education Grants and Basic Formula Aid to Education; and the proceeds of such Notes shall be used only for the purposes of paying the current expenses of the City School District for said fiscal year payable from the revenues in anticipation of which they are issued.

Section 3. The Notes shall mature within one year of the date of issuance thereof and may be renewed from time to time, but each renewal shall be for a period of not exceeding one year and in no event shall such Notes, or the renewals thereof, extend beyond June 30, 2003.

Section 4. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the City, and the faith and credit of the City shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the City School District and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 5. Subject to the provisions of this ordinance and the Law, and pursuant to Sections 50.00, 56.00, 60.00 and 168.00 of the Law, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Director of Finance, as chief fiscal officer of the City.

Section 6. 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 7. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record", a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-334
Re: Agreement - Monroe Ave. Merchants Association, Street Manager

Transmitted herewith for your approval is legislation authorizing an agreement with the Monroe Avenue Merchants Association for assistance in the further development of Monroe Avenue. The maximum cost of this agreement will be \$25,000, which will be financed from the 2001-02 budget of the Economic Development Department.

On June 19, the City Council amended the proposed 2001-02 budget to transfer \$25,000 from the Contingency Account to the EDD budget to provide a match-

ing grant for the Merchants Association. The grant and matching funds are to be used for the employment of a "street manager".

The street manager will be expected to develop promotional campaigns for businesses on the portion of Monroe Avenue between Highland Avenue and the Inner Loop, solicit sponsors for the campaigns, recruit new businesses, and serve as liaison to relevant neighborhood associations and the City. Recruitment of a street manager is presently occurring and is expected to be completed by October 1.

A work plan and tentative budget for the street manager is attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-116

Ordinance No. 2001-334
(Int. No. 350)

Establishing \$25,000 As Maximum Compensation For A Professional Services Agreement For A Street Manager For Monroe Avenue

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

Section 1. The sum of \$25,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Monroe Avenue Merchants Association for a street manager for Monroe Avenue. Said amount shall be funded from the 2001-02 Budget of the Economic Development Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.
TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-335 and
Ordinance No. 2001-336
Re: Telecommunications System

Transmitted herewith for your approval is legislation relating to the City's telecommunications system. This legislation will authorize agreements with...

1. RC Hawaii, of Pittsford, for management of the installation of a new telecommunications system, at a maximum cost of \$277,500; and
2. Frontier Communications of Rochester, 180 S. Clinton Avenue, for continued lease of the existing Centrex system.

The cost of the agreement with RC Hawaii will be financed from the 1997-98 Cash Capital allocation, while the cost of the agreement with Frontier will be financed from the budgets of the appropriate City departments.

As you are aware, the replacement and improvement of the City's telecommunications system is planned. For this purpose, on February 11, 1997, the City Council authorized an agreement with RC Hawaii for conduct of an inventory of existing equipment and services, assessment of future telecommunica-

tions needs and preparation of a replacement and improvement plan.

Under an amendatory agreement authorized by the Council on March 16, 1999, RC Hawaii has also developed the contract specifications for replacement and improvement. Bids for equipment acquisition and installation are scheduled to be solicited later this month.

Under the proposed agreement, RC Hawaii will manage the installation. Specifically, it will...

1. Schedule and coordinate the various components of the installation;
2. Review the test results for the equipment and systems;
3. Develop a "cut-over" plan and test; and
4. Develop procedures for on-going administration of the system.

Installation is expected to begin in December and be completed in the spring, when the new Public Safety Building is scheduled to be occupied.

Bids for local telephone service are scheduled to be solicited in November. The proposed agreement with Frontier will provide for the continuation of the present Centrex service until the future service provider is selected, up to a maximum of 12 months.

The current agreement with Frontier was authorized by the Council on March 21, 2000. Under the terms of the proposed agreement, the monthly cost per line will remain the same, \$9.00. The system presently includes approximately 2,000 telephone and data transmission lines.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-335
(Int. No. 351)

Authorizing An Agreement With Frontier Communications Of Rochester, Inc. For Continuation Of Centrex Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Frontier Communications of Rochester, Inc. for the continued provision of Centrex telephone services to the City for a period not to exceed twelve months. The monthly cost per line shall be \$9.00, including charges for certain features, with reductions in rates for local measured service charges. The cost of said agreement shall be funded through appropriations made in the annual budgets.

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.

Ordinance No. 2001-336
(Int. No. 352)

Establishing \$277,500 As Maximum Compensation For A Professional Services Agreement With RC Hawaii Ltd. For Telecommunications Services

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

Section 1. The sum of \$277,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and RC Hawaii Ltd. for project management and implementation services for the City's new telecommunications system. Said amount shall be funded from the 1997-98 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-337
Re: Agreements - Service
Learning Institute

Transmitted herewith for your approval is legislation relating to the continued operation of the Service Learning Institute of Rochester. This legislation will authorize agreements with:

1. The NYS Corps Collaboration for receipt and use of up to \$135,240, under the AmeriCorps program; and
2. The Urban League of Rochester, 265 N. Clinton Avenue, for use of these funds.

The Institute was established in December, 1994. Since its inception, it has been operated by the Urban League under periodic agreements, the most recent of which was authorized by the City Council on August 22, 2000.

The Institute provides educational instruction, employment skills training and community service opportunities to economically disadvantaged youth. The allocation from the AmeriCorps program is used to finance the cost of the community service portion of the program. The amount of the 2001-02 allocation is \$219,000, which is \$83,760 less than the 2000-01 amount.

A description, assessment and budget for the program are attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-117

Ordinance No. 2001-337
(Int. No. 355)

Authorizing Agreements For The Service Learning Institute Of Rochester

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York

State Corps Collaborative for the receipt and use of AmeriCorps funding for the operation of the Service Learning Institute of Rochester.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Urban League of Rochester for the continued operation of the Service Learning Institute of Rochester.

Section 3. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$135,240, and said amount, or so much thereof as may be necessary, is hereby appropriated from the AmeriCorps funds to be received from the New York State Corps Collaborative.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:44 P.M.

CAROLEE A. CONKLIN
City Clerk

* * * * *

REGULAR MEETING
October 23, 2001

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - none - 0.

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.

By Council President Giess

Recognition Ceremony

Retirement:

Fire Department

Samuel Obi

Police Department

*Dane Brown

*Not attending meeting.

APPROVAL OF THE MINUTES

By Councilmember Griswold

RESOLVED, that the minutes of the Regular Meeting of September 25, 2001, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Quarterly Reports. 3673-7

Council President submits the following:

Letters of sympathy for the tragic events of September 11th from Sister Cities: Caltanissetta, Hamamatsu, Krakow, Novgorod, Rennes, Waterford Mayor, Waterford Chamber of Commerce and Würzburg. Cobourg, Ontario Book of Condolences. 3674-7

THE COUNCIL PRESIDENT - PRESENTATION AND REFERENCE OF PETITIONS AND REMONSTRANCES.

By Vice President Santiago - Randolph Street neighborhood residents request for traffic study on said street. Petition No. 5092

THE COUNCIL PRESIDENT - RECEIVED AND FILED.

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Approving Closure Of Bell Alley To Vehicular Traffic And Maintenance As A Pedestrian Walkway Int. No. 381 One speaker: Mitch Stern.

Approving The Lease By The Rochester Urban Renewal Agency To Benderson Development Company Of 52 Broadway In The Southeast Loop Urban Renewal Project, NYR-175 Int. No. 367 No speakers.

Approving The Acquisition Of 876 Brown Street For The Brown Street Project By Negotiation Or Condemnation Int. No. 372 Three speakers: John Gatti, Linda Stango and Jabbar Collier.

Authorizing An Amendatory 2001-02 Community Development Program Plan, Amending Ordinance No. 99-18 And Authorizing An Agreement For The Zoning Ordinance And Map Revision Project And Authorizing An Agreement For Cascade Historic District Street Furniture And Art, As Amended Int.

No. 373 No speakers.

Abandonment Of Holmdel Place Int. No. 382 No speakers.

Changing The Zoning Classification Of 618 Upper Falls Boulevard From R-3 Low-Medium Residential To C-2 Community Commercial Int. No. 383 One speaker: Mark Calcagno.

Changing The Zoning Classification Of 50-52 Bennington Drive From C-2 Community Commercial To M Manufacturing Industrial Int. No. 384 One speaker: Robert Brock.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:

Ladies and Gentlemen:

Resolution No. 2001-16

Re: Appointment - City Planning Commission

Transmitted herewith for your approval is legislation confirming the appointment of the following persons to the City Planning Commission:

Harry Bronson

96 Mt. Vernon Avenue

Kara Hartway

178 Meigs Street, Apt. #4

Each person will fill a vacant position. Their terms will extend through October 31, 2004. Copies of their resumes are available in the Office of the City Clerk.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Resolution No. 2001-16
(Int. No. 392)

Resolution Approving Appointments To The City Planning Commission

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

Section 1. The Council hereby approves the appointments of Harry Bronson, 96 Mt. Vernon Avenue, and Kara Hartway, 178 Meigs Street, Apartment 4, to the City Planning Commission for terms which shall expire on October 31, 2004.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:

Ladies and Gentlemen:

Introductory No. 393

Re: Agreement - Dr. Cedric Alexander,
Behavioral Management Program

Transmitted herewith for your approval is legislation authorizing an agreement with Dr. Cedric Alexander, for development and implementation of a behavioral management program for certain youth. The maximum cost of the agreement will be \$72,000,

which will be financed from the 2001-02 budget for Undistributed Expense.

The program will be provided in conjunction with the Monroe County Office of Probation, which will refer adult males, between the ages of 14 and 17 for evaluation of aggression, depression and functional ability. Youths who demonstrate acute psychopathology will be excluded.

The goal of the program is development by the youth of distress tolerance and emotional control skills. The skills will be developed in 8 - 10 counseling sessions in which no more than 10 youth participate.

During the 12 month period for the project, 75-100 youth are expected to be evaluated. Approximately 50-60% of the youth are expected to respond positively to the counseling. Youth who withdraw will continue probation.

Dr. Alexander, who is a member of the Family Medicine Practice of the University of Rochester, was selected to provide the counseling services because of his experience with this group. In 2000-01, he conducted a study of the receptivity of probationary youth to behavior management counseling.

Of the total cost of the agreement, \$25,000 will be financed from the Weed and Seed program.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Introductory No. 393

ESTABLISHING MAXIMUM COMPENSATION FOR A PROFESSIONAL SERVICES AGREEMENT WITH CEDRIC ALEXANDER FOR A BEHAVIORAL MANAGEMENT GROUP

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

Section 1. The sum of \$72,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Cedric Alexander, Psy. D., for assistance in the development and implementation of a Behavioral Management Group for at-risk youth. Said amount shall be funded from the 2001-02 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Held in committee.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-338
Re: Agreement - Rural Metro Medical Services, Emergency Ambulance Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Rural Metro Medical Services, 177 University Avenue, for the continued provision of emergency ambulance service requested by the City.

A municipality is authorized to provide ambulance service under section 122-b of the NYS General Mu-

nicipal Law. Historically, the City has provided such service through agreements with private companies.

The current agreement, with Rural Metro, was approved by the City Council on August 20, 1996. Amendatory agreements, extending the term through October 31, 2001, were approved by the Council on October 17, 2000, January 16, 2001 and April 26, 2001 and July 17.

The proposed additional amendatory agreement will further extend the term to January 31, 2002.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-338
(Int. No. 394)

Authorizing An Amendatory Agreement With Rural Metro Medical Services For The Continued Provision Of Emergency Ambulance Services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Rural Metro Medical Services for the continued provision of emergency ambulance services as requested by the City, or when the City receives a request for ambulance services from a third person, and standby services at emergency scenes and special events, through January 31, 2002.

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.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Stevenson
October 23, 2001

To the Council:

The Parks, Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 362 - Establishing \$92,000 As Maximum Compensation For A Professional Services Agreement For A Fleet Information System

Int. No. 385 - Authorizing Participation In The West Ridge Road Improvement Project

Int. No. 386 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$800,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The West Ridge Road Improvement Project

Int. No. 387 - Authorizing An Agreement For Drinking Water Testing Services
The Parks, Public Works and the Environment Committee recommends for consideration the following entitled legislation:

Int. No. 381 - Approving Closure Of Bell Alley To Vehicular Traffic And Maintenance As A Pedestrian Walkway

Respectfully submitted,
Robert J. Stevenson
Brian F. Curran
Tony M. Thompson
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-339
Re: Agreement - CCG Systems, Inc.,
Fleet Information System

Transmitted herewith for your approval is legislation authorizing an agreement with CCG Systems, Inc., of Norfolk, Virginia, for installation of a new fleet information system for the Department of Environmental Services. The maximum cost of this agreement will be \$92,000, which will be financed from the 2000-01 budget of the department.

Information about the fueling and maintenance of the City's vehicle fleet is processed in a computer system that was installed in 1994. The system is now obsolete and cannot produce certain required reports.

In April, DES solicited proposals for a new system from six organizations, none of which were from organizations within Monroe County. Five proposals were received.

These proposals were evaluated by an interdepartmental committee consisting of representatives of DES, Budget Bureau and Bureau of Information Services. Representatives of the Bureau of Equipment Services subsequently visited municipalities that were utilizing the systems of the companies with the two highest evaluation rankings.

CCG is recommended based upon the evaluations and visits and comparative costs. Its system is currently utilized by the City of Washington, D.C.

Under the proposed agreement, CCG will:

1. Evaluate processes at the Central Vehicle Maintenance Facility;
2. Review data file conversion requirements;
3. Identify computer equipment and network requirements;
4. Install and test equipment and network;
5. Convert data files; and
6. Train fleet personnel in use of the system

The project is expected to be complete in four months.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-339
(Int. No. 362)

Establishing \$92,000 As Maximum Compensation For A Professional Services Agreement For A Fleet Information System

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

Section 1. The sum of \$92,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and CCG Systems, Inc. for a fleet information system. Said amount shall be funded from the 2000-01 budget of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-340 and
Ordinance No. 2001-341
Re: W. Ridge Road Improvement Project

Transmitted herewith for your approval is legislation relating to a portion of the W. Ridge Road Improvement Project. This legislation will:

1. Authorize an agreement with the NYS Department of Transportation for participation by the City in the project;
2. Authorize the reimbursement by the City of up to \$885,000 for the costs of the water improvements included in the project; and
3. Authorize the issuance of bonds totaling \$800,000 to partially finance this reimbursement.

The remaining amount of the reimbursement, \$85,000, will be financed from the 1997-98 Cash Capital allocation of DES (Water Fund).

The W. Ridge Road Improvement Project extends from the Veteran's Memorial Bridge to N. Greece Road, a distance of approximately six miles. The City is administering the portion of the project from the bridge to Hanford Landing Road, while NYS DOT is administering the portion from Hanford Landing Road to N. Greece Road.

The proposed agreement relates to the latter portion, to the west city line. The water improvements included in this portion are the replacement of two 8" water mains that were installed in 1905 and 1937.

The mains will be replaced with 1700' of 12" mains and 2100' of 8" mains. Copper water services and new hydrants will also be installed.

Replacement of the water mains is expected to begin in December and be completed by December, 2002. The total estimated cost of construction is \$1,199,000, which will be financed as follows:

City	\$ 885,000
NYS DOT	314,000
Total	\$1,199,000

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-118

Ordinance No. 2001-340
(Int. No. 385)**Authorizing Participation In The West Ridge Road Improvement Project**

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

Section 1. The Council hereby approves participation by the City in the West Ridge Road Improvement Project (from the west City line to Hanford Landing Road).

Section 2. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation as may be necessary for implementation of the West Ridge Road Improvement Project.

Section 3. The agreements shall obligate the City to pay an amount not to exceed \$885,000, and of said amount, or so much thereof as may be necessary, \$85,000 shall be funded from the 1997-98 Cash Capital Allocation and \$800,000 shall be funded from a bond ordinance adopted for water main improvements.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-341
(Int. No. 386)**Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$800,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Water Mains Related To The West Ridge Road Improvement Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain water mains related to the West Ridge Road Improvement Project within the City, more specifically, water mains located along West Ridge Road between the west City line and Hanford Landing Road (the "Project"). The total estimated cost of said specific object or purpose authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,199,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$800,000 bonds of the City, together with the application of \$314,000 from the State of New York and \$85,000 from current City funds, to finance the balance of said cost, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$800,000 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 \$800,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.1 of the Law, is forty (40) years.

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

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

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

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

the provisions of the Constitution.

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-342
Re: Agreement - Life Science
Laboratories, Water Testing

Transmitted herewith for your approval is legislation authorizing a three-year agreement with Life Science Laboratories, of East Syracuse, for laboratory testing of drinking water. The maximum annual cost of this agreement will be \$10,000, which will be financed from the 2001-02 and future budgets of the Department of Environmental Services (Water Fund).

Historically, the City has contracted with commercial laboratories for mandated water testing that requires sophisticated and expensive instruments such as a gas chromatograph mass spectrometer. The most recent agreement for such testing, with Environmental Health Laboratory, was authorized by the City Council on April 14, 1998.

This agreement expires on October 31. In anticipation of this expiration, DES solicited proposals from qualified organizations for testing after this date.

Three proposals were received, including one from a company in Monroe County. Life Sciences is recommended based upon comparative cost.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-342
(Int. No. 387)

Authorizing An Agreement For Drinking Water Testing Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Life Science Laboratories, Inc. for the laboratory testing of drinking water for a term of three years.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$10,000 annually, and said amounts, or so much thereof as may be necessary, shall be funded from the 2001-02 and succeeding budgets of the Department of Environmental Services, contingent upon approval of said budgets.

Section 3. The agreement shall contain such ad-

ditional 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. 2001-343
Re: Traffic Restriction - Bell Alley

Transmitted herewith for your approval is legislation restricting vehicular traffic on Bell Alley.

Bell Alley extends from Scio to Mathews Street. The adjacent properties north of the street contain residential units that were recently renovated or are currently being renovated, while the adjacent properties south of the street contain a restaurant/club and a vacant lot that formerly was utilized for the sale of used autos.

The owner of these properties, Gary Stern, has requested that the street be converted to a pedestrian walkway to provide safe access to the East End parking garage. Mr. Stern would maintain the walkway after various improvements are constructed.

The improvements will include concrete sidewalks and pavers, benches, special streetlights and planters and other landscaping. The estimated cost of the improvements is \$90,000, which will be financed from Cash Capital allocations.

Construction of the pedestrian improvements is expected to be completed in the spring of 2002. They will replace or be a substitute for the street improvements that were previously planned in conjunction with the Charlotte Street Improvement Project.

A public hearing on the traffic restriction is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-119

Ordinance No. 2001-343
(Int. No. 381)

Approving Closure Of Bell Alley To Vehicular Traffic And Maintenance As A Pedestrian Walkway

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

Section 1. The Council hereby approves the closure of Bell Alley, from Scio Street to Mathews Street, to vehicular traffic and the maintenance of Bell Alley as a pedestrian walkway.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Douglas
October 23, 2001

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 363 - Establishing \$15,600 As Maximum Compensation For A Professional Services Agreement With Writers & Books, Inc. For The Wordcrafter Program

Int. No. 364 - Authorizing An Agreement For The Dubois Urban Youth Training Project

Int. No. 388 - Authorizing An Agreement For The Clinton-Baden Community Center

Int. No. 389 - Authorizing Agreements For The Local Law Enforcement Block Grant Program

Respectfully submitted,
Benjamin L. Douglas
Robert J. Stevenson
Tony M. Thompson
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-344
Re: Agreement - Writers & Books, Inc.,
Wordcrafter Program

Transmitted herewith for your approval is legislation authorizing an agreement with Writers & Books, Inc., 740 University Avenue, for continuation of the City's Wordcrafter Program. The maximum cost of this agreement will be \$15,600, which will be financed from the 2001-02 budget of the Department of Parks, Recreation and Human Services.

The Wordcrafter Program involves a series of language arts workshops designed to enhance language ability and creative expression for people of all ages and abilities through writing, reading, and the spoken word. The current agreement for the program was authorized by the City Council on November 14, 2000.

Under the proposed agreement, Writers & Books will provide a minimum of eight youth and teen workshops, three adult workshops, and an intergenerational Oral Histories workshop. Each workshop will be provided for 1.5 hours each week for 10 weeks at City recreation or community centers.

The youth workshops will include activities to improve writing, language expression, reading skills and vocabulary through exercises such as writing in personal journals, letter writing, storytelling and theater arts, and group writing. The adult workshops will teach traditional creative writing. The intergenerational Oral Histories workshop will incorporate storytelling, writing and oral presentation.

Writers and Books will prepare all materials required for the workshops, and provide instructors. It will also publish an anthology of the participants' writing, and special booklets for individual workshops.

Under the current agreement, approximately 225 youth and 44 adults have participated in the program.

The cost of the proposed agreement is the same as the

cost of the current agreement.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-344
(Int. No. 363)

Establishing \$15,600 As Maximum Compensation For A Professional Services Agreement With Writers & Books, Inc. For The Wordcrafter Program

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

Section 1. The sum of \$15,600, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Writers & Books, Inc. for the continuation of the City's Wordcrafter Program. Said amount shall be funded from the 2001-02 Budget of the Department of Parks, Recreation and Human Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-345
Re: Agreement - SWAN, Dubois Urban
Youth Training Project

Transmitted herewith for your approval is legislation authorizing an agreement with the Southwest Area Neighborhood Association for administration of the Dubois Urban Youth Training Project. The maximum cost of this agreement will be \$40,000, which will be financed from the General Community Needs allocation of the 2001-02 Community Development Block Grant.

The project will provide adult mentoring, academic tutoring, and employment and personal improvement training to 25 "at risk" middle and high school students. A project description and budget are attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-120

Ordinance No. 2001-345
(Int. No. 364)

Authorizing An Agreement For The Dubois Urban Youth Training Project

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the following organization for a human services project in amount not to exceed the following:

Organization	Project	Amount
Southwest Area	Dubois Urban Youth	\$40,000

Neighborhood Training Project
Association

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$40,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 2001-02 Community Development Block Grant contingent upon approval of such Program.

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. 2001-346
Re: Agreements - Clinton-Baden
Community Center

Transmitted herewith for your approval is legislation authorizing agreements with Baden Street Settlement, Inc., and the City School District for continued joint use and maintenance of the Clinton-Baden Community Center.

The Center was constructed in 1975 in conjunction with School No. 9. Baden has operated the Center since 1981 pursuant to periodic agreements; the most recent agreement was authorized by the Council on August 9, 1994.

The proposed agreement will provide for the continued joint use of the Center by Baden and the City School District. It will specify...

1. The spaces allocated for use by the District,
2. Respective custodial and maintenance responsibilities,
3. Required utility reimbursements,
4. Liability responsibilities, and
5. Required payments.

The required payments will include \$35,200 annually for operation by Baden Street Settlement of an aquatic program at the Center.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-346
(Int. No. 388)

Authorizing An Agreement For The Clinton-Baden Community Center

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Baden Street Settlement, Inc. and the City School District for the operation of the Clinton-Baden Community Center for a term of five years.

Section 2. The agreement shall obligate the City to pay Baden Street Settlement, Inc. an amount not to exceed \$35,200 annually, and said amounts, or so much thereof as may be necessary, shall be funded from the 2001-02 and succeeding budgets of the Department of Parks, Recreation and Human Services, contingent upon approval of said budgets.

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. 2001-347
Re: Application and Agreement - U.S. Dept of
Justice, Law Enforcement Block Grant

Transmitted herewith for your approval is legislation authorizing an application to and agreement with the U.S. Department of Justice for receipt and use of a grant of \$546,991 under the Law Enforcement Block Grant program.

The LEBG program allocates funds to municipalities based upon the number of Part I (serious) crimes reported in each respective jurisdiction. The City is required to combine the funds its receives under the program with those of Monroe County since the NYS Attorney General has certified that a disparity (of more than 200%) exists between the former amount and the latter amount and that this disparity could have an adverse effect on the criminal justice system.

Following is a summary of the City's share of the combined grants since inception of the program.

<u>Federal Fiscal Year</u>	<u>Amount</u>
1996-97	\$305,293
1997-98	311,916
1998-99	349,323
1999-00	339,959
2000-01	295,732

For 2001-02, it is expected that the grant will be used for the following purposes:

City		
Police Department		
Crime Data Entry	\$28,105	
Systems Programmer	61,500	
Grant Specialist	68,100	\$157,705
Drug Court		5,000
Juvenile Aftercare		55,000
Teen Court		45,000
Community Safety Initiative		10,000
Youth Violence Intervention		8,000
Drug Summit		10,000
Total		\$290,705
County		
Night Watch		\$215,706
Juvenile Prosecutor		75,000
Total		\$290,706

A public hearing on this expenditure plan was conducted on October 4.

Respectfully submitted,
William A. Johnson, Jr.

Mayor

Councilman Douglas moved to amend Introductory No. 389.

The motion was seconded by Councilman Stevenson.

The motion was adopted unanimously.

Ordinance No. 2001-347
(Int. No. 389, As Amended)

Authorizing Agreements For The Local Law Enforcement Block Grant Program And Amending Ordinance No. 2001-278

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

Section 1. The Council hereby approves the acceptance of a Local Law Enforcement Block Grant and the Mayor is hereby authorized to enter into an agreement with the United States Department of Justice for funding under the Local Law Enforcement Block Grant Program. Necessary local matching funds shall be provided through the annual budgets of the Rochester Police Department.

Section 2. The Mayor is hereby further authorized to enter into an agreement with the County of Monroe for the purpose of sharing the combined funding under the Local Law Enforcement Block Grant Program that each jurisdiction is eligible to receive.

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

Section 4. Ordinance No. 2001-278, relating to the PAC-TAC Support Project, is hereby amended by increasing the amount of the agreement authorized in Section 3 thereof with the Lyell Avenue Revitalization Committee from \$21,179 to \$28,238.

Section 5. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

By Councilmember Norwood
October 23, 2001

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 369 - Appropriating Funds And Authorizing Agreements For The Rehab Rochester Program

Int. No. 370 - Appropriating Funds And Authorizing Agreements For The Home Reoccupation/Vacant Grant/Homesteading Programs - \$300,000

Int. No. 371 - Appropriating Funds For The Flower Planting Project

Int. No. 390 - Authorizing Agreements For Lending Awareness Services

Int. No. 391 - Appropriation Of Funds And Authorizing Agreements For The Home Purchase Assistance

Program

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 365 - Authorizing The Sale Of Real Estate

Int. No. 366 - Sale Of Real Estate As A Part Of The 2001 Home Expo Program

Int. No. 367 - Approving The Lease By The Rochester Urban Renewal Agency To Benderson Development Company Of 52 Broadway In The Southeast Loop Urban Renewal Project, NYR-175

Int. No. 368 - Authorizing A License To ESSROC Materials, Inc. For A Docking Pier Adjacent To 361 Boxart Street

Int. No. 372 - Approving The Acquisition Of 876 Brown Street For The Brown Street Project By Negotiation Or Condemnation

Int. No. 373 - Authorizing An Amendatory 2001-02 Community Development Program Plan, Amending Ordinance No. 99-18 And Authorizing An Agreement For The Zoning Ordinance And Map Revision Project And Authorizing An Agreement For Cascade Historic District Street Furniture And Art, As Amended

Int. No. 379 - Establishing \$200,000 As Maximum Compensation For A Professional Services Agreement For The Brooks Landing Revitalization Project

Int. No. 380 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$200,000 Bonds Of Said City To Finance The Cost Of Engineering, Planning, Design And Project Inspection Services For Certain Street Improvements Related To The Brooks Landing Revitalization Project

Int. No. 382 - Abandonment Of Holmdel Place

Int. No. 383 - Changing The Zoning Classification Of 618 Upper Falls Boulevard From R-3 Low-Medium Residential To C-2 Community Commercial

Int. No. 384 - Changing The Zoning Classification Of 50-52 Bennington Drive From C-2 Community Commercial To M Manufacturing Industrial

Respectfully submitted,
Wade S. Norwood
Benjamin L. Douglas
Nancy K. Griswold
Lois J. Giess (Voted on Intro. No. 390 and Intro. No. 391.)
Gladys Santiago
HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance Nos. 2001-348,
2001-349 and 2001-350
Re: CDBG Appropriations

Transmitted herewith for your approval is legislation approving the following appropriations from the 2001-02 Community Development Block Grant.

Housing Rehabilitation	
Rehab Rochester	\$3,000,000
Home Reoccupation/Homesteading	300,000
Neighborhood Beautification	10,000
Total	\$3,310,000

Housing Rehabilitation

The Rehab Rochester Program provides grants for the rehabilitation of one- and two-family occupied houses. To be eligible for a grant, the owner must have a family income that does not exceed 60% of the median family income in the Rochester statistical metropolitan area.

The Home Reoccupation/Homesteading Program provides grants of up to \$15,000 to prospective owner-occupants for the rehabilitation of vacant one- and two-family structures. To be eligible for a grant, a prospective owner must have a family income that does not exceed 80% of the median family income of the Rochester SMA.

The grants are provided in conjunction with the "Dollar and a Dream" homesteading program. The participants must obtain a Certificate of Occupancy and retain ownership and reside in the property for a minimum of five years.

The most recent appropriations for the programs were approved by the City Council on January 16. Following is a summary of the use of these funds, which have been completely disbursed or committed.

Program	Appropriation	Grants
Rehab Rochester	\$3,057,300	203
Home Reoccupation/ Homesteading	300,000	20

The proposed appropriation for the former program is expected to finance 125 additional grants. The proposed appropriation for the latter program will finance 20 additional grants for which applications already have been received.

Neighborhood Beautification

The "Flower City Looking Good" program, which was initiated in 1991, is designed to enhance the attractiveness of neighborhoods and the awareness of residents about the city's horticultural heritage. The program currently includes approximately 40 components, such as the free use by residents of City-owned vacant lots for gardening, garden contests, spring and fall planting days, perennial "swaps", flower days at the Public Market, guided walking and biking tours, and seminars and workshops.

The proposed appropriation will permit the purchase and distribution to neighborhood groups of about 17,000 flowers, 3,500 bulbs, 100 tons of topsoil and other plant material for planting in tree lawn areas and common spaces.

Flowers	\$ 4,500
Bulbs	2,500
Topsoil	1,500
Plant Material	1,500
Total	\$10,000

The amount of the appropriation is the same as the appropriation approved by the City Council on September 19, 2000. A list of the organizations that participated in planting projects during 2000-01 is attached.

In June, 2001, the "Flower City Looking Good" program received the Local Government Achievement Award from the NY Conference of Mayors.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-121

Ordinance No. 2001-348
(Int. No. 369)

Appropriating Funds And Authorizing Agreements For The Rehab Rochester Program

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

Section 1. There is hereby appropriated from 2000 HOME Program funds the sum of \$1,686,200, or so much thereof as may be necessary, to fund the Rehab Rochester Program.

Section 2. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program the sum of \$1,313,800, or so much thereof as may be necessary, to fund the Rehab Rochester Program.

Section 3. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Rehab Rochester Program.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-349
(Int. No. 370)

Appropriating Funds And Authorizing Agreements For The Home Reoccupation/Vacant Grant/Homesteading Programs - \$300,000

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

Section 1. The sum of \$300,000, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program to fund the Home Reoccupation/Vacant Grant/Homesteading Programs.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Home Reoccupation/Vacant Grant/Homesteading Programs.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-350

(Int. No. 371)

Appropriating Funds For The Flower Planting Project

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

Section 1. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program the sum of \$10,000, or so much thereof as may be necessary, to fund the Neighborhood Beautification-Flower Planting Project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-351
Re: Agreements - Anti-Predatory
Lending Campaign

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for participation in an anti-predatory lending campaign.

Public Interest Law Office of Rochester 80 St. Paul Street	\$40,000
Housing Council in the Monroe County Area 183 E. Main Street	35,000

The costs of the agreements will be financed from the Housing Stock and General Property Conditions allocation of the 2001-02 Community Development Block Grant.

Predatory lending involves the provision of loans to persons who do not meet standard credit criteria and who are unlikely to be able to repay the loans. Typically, foreclosure or repossession of property results.

The Federal Home Loan Mortgage Corporation is sponsoring a national public information campaign to reduce the prevalence of predatory lending. The City has been selected to participate in this campaign, which is entitled "Don't Borrow Trouble".

The campaign will involve public education, counseling and, if necessary, legal representation services. PILOR, which has conducted periodic studies of community lending practices, will provide the educational and legal services, while the Housing Council will provide counseling and referral services.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-351
(Int. No. 390)

Authorizing Agreements For Lending Awareness Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Housing Council in the Monroe County Area, Inc. for the "Don't Borrow Trouble" public information and awareness campaign. The agreement shall obligate the City to pay an amount not to exceed \$35,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Public Interest Law Office of Rochester for legal assistance as a part of the "Don't Borrow Trouble" public information and awareness campaign. The agreement shall obligate the City to pay an amount not to exceed \$40,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program.

Section 3. The agreements shall contain such 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. 2001-352
Re: Home Purchase Assistance Program

Transmitted herewith for your approval is legislation relating to the Home Purchase Assistance Program. This legislation will:

1. Appropriate \$350,000 from the 2000 HOME program; and
2. Authorize any necessary agreements.

HPAP, which was established by the City Council on March 19, 1996, provides financial assistance to low- and moderate-income persons who qualify for mortgages but do not have sufficient funds for a down payment or closing costs. To be eligible for assistance a person must be a prospective owner-occupant of a one- or two-family house, satisfy the income qualifications of the HOME program and participate in homebuyer training.

The financial assistance consists of loans of up to \$5,000 for persons who intend to reside in the Enterprise Community Zone and loans of up to \$3,000 for persons who live in other areas of the city. A loan is forgiven if the recipient continues to reside in the house and the property is not sold for five years. The most recent appropriation for the program, of \$231,750, was approved by the Council on December 14, 1999. This appropriation was used to finance 77 grants.

The proposed appropriation is expected to be used to provide 116 grants. Of this number, 103 grants have already been approved; 15 other grant applications are presently being reviewed.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-352
(Int. No. 391)

**Appropriation Of Funds And Authorizing
Agreements For The Home Purchase Assistance
Program**

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

Section 1. The sum of \$350,000, or so much thereof as may be necessary, is hereby appropriated from 2000 HOME Program Funds to fund the Home Purchase Assistance Program.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Home Purchase Assistance Program. The agreements shall contain such 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 Nos. 2001-353,
2001-354, 2001-355 and
2001-356

Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the following real estate transactions:

1. Sale of 12 properties,
2. Renewal of the lease of Municipal Parking Lot #2, and
3. Renewal of a license for use of another property.

Sales

The first property to be sold, 62-64.5 Cady Street was included in the public auction of May 14. The purchaser will be required to complete the rehabilitation of the property and obtain a Certificate of Occupancy within nine months of the conditional closing.

The next property, a vacant lot at 942-950 Hudson Avenue, was included in the auction of May 14, but was subject to approval of the development plan. The property will be developed as a parking lot with landscaping and fencing for use in conjunction with the purchaser's adjacent property at 952-954 Hudson Avenue, which contains a building with three residential units.

The next five properties are considered unbuildable because of their size or front footage. They will be sold for \$1.00 to the owners of adjacent properties and combined with those properties.

The last five properties will be sold to any of the developers previously approved for participation in the 2001 Home Expo Program or the Greater Rochester Partnership Development Fund Corporation. These properties are in addition to the 291 properties whose sales were authorized by the City Council on February 13, May 15 and June 19.

Lease

Parking Lot #2 contains 62 spaces. It is leased to Benderson Development Company, which owns the nearby HSBC building.

Benderson uses the lot to provide parking for some of the employees of CBS Radio, which is one of the tenants of the building. These employees cannot be accommodated in the building's under-ground garage.

The current agreement for lease of the lot was authorized by the Council on September 15, 1998. The agreement provides for:

1. Annual lease payments of \$22,320;
2. Operation and maintenance of the lot by Benderson, and
3. Use of the lot by the public during the evening or on weekends, at the option of the City.

Under the proposed agreements, these provisions will remain the same. The term of the agreement will be two years.

License

The proposed license agreement will provide for continued use by ESSROC Materials, Inc. of a parcel within Turning Point Park. The parcel contains a docking pier, conduit and pump house.

ESSROC, or its predecessor, Rochester Portland Cement Corporation, has used this parcel since 1972 to transport raw materials for cement manufacture from ships or barges in the Genesee River to its facility at 361 Boxart Street. Approximately 50 shipments of such materials are received each year.

The current agreement for such use was authorized by the Council on November 19. The proposed agreement will have a term of 10 years and provide for annual payments of \$3,000, an amount established by an independent appraiser, Kevin Bruckner.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-122

Ordinance No. 2001-353
(Int. No. 365)

Authorizing The Sale Of Real Estate

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

Section 1. The Council hereby approves the sale of the following parcel of real estate by regular auction:

Address: 62-64.5 Cady St.
S.B.L.#: 120.60-1-32&33
Legal Use: 2 Family
Price: \$1,600
Purchaser: Eric G. Nicholson

Section 2. The Council hereby further approves the sale of the following parcel of vacant land with proposal by regular auction:

Address: 942-950 Hudson Ave.
S.B.L.#: 091.73-3-41&40

Price: \$3,350
Purchaser: Mayra Pimentel

Section 3. The Council hereby further approves the negotiated sale of the following parcels of unbuildable vacant land:

Address	S.B.L.#	Sq. Ft.
Purchaser		
595 Bay St. Frank Crisler	107.46-1-6	4,232±
91 Hollister St. Leslie B. Campbell	106.34-3-9	2,961±
EH 14 Wayne Pl. Lessie Mae Hall	Pt. of 120.58-2-19	475±
WH 14 Wayne Pl. Gwendolyn L. Walker	Pt. of 120.58-2-19	1,061±
125 York St. Carlene Gayle	120.34-1-33	3,500

Section 4. 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 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-354
(Int. No. 366)

Sale Of Real Estate As A Part Of The 2001 Home Expo Program

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

Section 1. The Council hereby approves the addition of the following parcels to the parcels approved in Section 2 of Ordinance No. 2001-67 to be sold as a part of the 2001 Home Expo Program:

Address	S.B.L.#
300 Wellington Ave.	120.66-3-71
160 Cady St.	120.59-1-41.1
162 Cady St.	120.59-1-42
30 Thomas St.	106.40-2-49.1
16-18 Nelson St.	121.74-2-14
770-774 Bay St.	107.38-1-29

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-355
(Int. No. 367)

Approving The Lease By The Rochester Urban Renewal Agency To Benderson Development Company Of 52 Broadway In The Southeast Loop Urban Renewal Project, NYR-175

WHEREAS, the Rochester Urban Renewal Agency (hereinafter called "Agency") has received a proposal from Benderson Development Company (hereinafter called "Redeveloper"), for the lease of 52 Broadway in the Southeast Loop Urban Renewal Project, NYR-175, for parking lot use for two years; and

WHEREAS, the City Council, pursuant to Article 15 of the General Municipal Law, has held a public hearing on October 23, 2001, to consider the proposed disposition of said parcel by the Agency; and

WHEREAS, it was determined:

1. That the Agency has designated the Redeveloper in accordance with its Rules, criteria and procedures as a qualified and eligible sponsor.
2. That the use of said parcel by the Redeveloper and the terms of the lease of said parcel are satisfactory.
3. That lease of said land by negotiation is the appropriate method of making the land available for redevelopment.
4. That the Redeveloper possesses the qualifications and financial resources necessary to lease and redevelop the parcel in accordance with the Urban Renewal Plan and is a qualified and eligible sponsor, and the Redeveloper's Statement for Public Disclosure is satisfactory.
5. That the proposed annual rent of \$22,320.00 for two years is a satisfactory rent for the lease of the parcel for use in accordance with the Urban Renewal Plan. The redeveloper shall be responsible for the purchase and installation of access control equipment and for the operation and maintenance of the parking lot. The City will have the option of having the lot available for public use on evenings and/or weekends.
6. That the proposed lease complies with the provisions of Title I of the Housing Act of 1949, as amended, and Articles 15 and 15A of the General Municipal Law.
7. That the lease of said parcel and conditions established for redevelopment are satisfactory.

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

Section 1. The Council hereby approves the designation of the Redeveloper by the Agency as the Redeveloper of said Parcel and approves said Redeveloper as a qualified and eligible sponsor to lease and redevelop the Parcel.

Section 2. The Council hereby approves the method and lease of said Parcel by the Agency to said Redeveloper.

Section 3. The Council hereby authorizes the lease of said Parcel by the Agency for the proposed price in accordance with the provisions of Title I of the Housing Act of 1949, as amended, and Articles 15 and 15A of the General Municipal Law.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-356
(Int. No. 368)

Authorizing A License To ESSROC Materials, Inc. For A Docking Pier Adjacent To 361 Boxart Street

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

Section 1. The Council hereby authorizes the grant of a license to ESSROC Materials, Inc. for the use, occupancy and maintenance of a docking pier and conduit, located on City-owned property adjacent to 361 Boxart Street. The license shall have a term of 10 years at an annual rental of \$3,000.

Section 2. The license shall contain such other 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:

Introductory No. 372
Re: Real Estate Acquisition -
876 Brown Street

Transmitted herewith for your approval is legislation authorizing the acquisition, by negotiation or condemnation, of 876 Brown Street at a maximum price of \$20,000. This price was established by an independent appraiser, Robert G. Pogel.

The property contains a single-story masonry building that is occupied by a retail store. The building has a common wall with a three-story masonry building on the adjacent property at 816-822 Brown Street.

The latter property is owned by the City. The building on the property is scheduled to be demolished because of structural problems. Obviously, the demolition will result in the building at 876 Brown Street becoming unusable.

If the proposed acquisition is approved, the occupant of the building at 876 Brown Street will be relocated and the building will be demolished along with the building at 816-822 Brown Street. The resultant vacant lots, which will contain approximately 9,600 square feet, will be reserved for future development.

The total cost of acquisition, relocation and demolition is estimated to be \$50,000. This cost will be financed from the 2001-02 Cash Capital allocation.

Consideration by the City Council of the proposed legislation should be deferred pending the completion of determinations and findings for the proposed acquisition. A public hearing on the acquisition is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilman Norwood moved to return Introductory No. 372 to committee.

The motion was seconded by Councilman Mains.

The motion was adopted unanimously.

Introductory No. 372

APPROVING THE ACQUISITION OF 876

BROWN STREET FOR THE BROWN STREET PROJECT BY NEGOTIATION OR CONDEMNATION

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

Section 1. The Council hereby approves the acquisition of the following parcel from the current owner for amount not to exceed the following as a part of the Brown Street Project:

Address	S.B.L. #	Amount
Reputed Owner	Lot Size	
876 Brown St.	120.42-2-58	\$20,000
Mr. Real Estate, Inc.	14.87 x 54.17	

Section 2. The acquisition, demolition and closing costs shall obligate the City to pay an amount not to exceed \$50,000, and said amount, or so much thereof as may be necessary, shall be funded from the 2001-02 Cash Capital Allocation.

Section 3. City taxes and other current year charges against said parcel shall be canceled from the date of 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 still owns the parcel, shall also be canceled.

Section 4. In the event that said parcel cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for the acquisition of said parcel.

Section 5. This ordinance shall take effect immediately.

Held in committee.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-357
Re: Agreement - Peter J. Smith & Co., Zoning
Ordinance and Map Update Project

Transmitted herewith for your approval is legislation authorizing an agreement with Peter J. Smith & Co., of Buffalo, for completion of the Zoning Ordinance and Map Update Project. The maximum cost of the agreement will be \$135,000, which will be financed from various Community Development Block Grant allocations.

On January 19, 1999, the City Council authorized an agreement with Duncan Associates, of Austin, for assistance in the revision of the Zoning Ordinance and Map. The project was expected to be completed within 18 months.

For various reasons, Duncan has been unable to adhere to the project schedule or to produce the expected products in a timely manner. Accordingly, in August, the agreement with Duncan was terminated.

On May 15, 2001, the Council authorized an agreement with Peter J. Smith & Co. for assistance in the revision of the provisions in the Zoning Ordinance relating to the Center City. Unlike those for other areas, the zoning regulations for the Center City will describe land use and design characteristics.

With the termination of the agreement with Duncan, Smith will also assume responsibility for completion of the general Zoning Ordinance and Map Update Project. Specifically, it will:

1. Discuss the status of the project with City staff;
2. Review existing materials, such as summaries of the initial public "scoping" sessions and the Draft Environmental Impact Statement;
3. Conduct site visits as necessary;
4. Review the preliminary Zoning Ordinance;
5. Reformat and revise the ordinance as necessary;
6. Develop illustrative graphics;
7. Prepare the Zoning Map;
8. Determine appropriate review processes for applications;
9. Complete the requirements of the State Environmental Quality Review Act; and
10. Present the revised ordinance and map to the Planning Commission and City Council.

Completion of the project is expected to require five months.

The original authorized cost of the agreement with Duncan was \$210,000. Of this amount, \$151,488 was actually expended.

The unexpended amount, \$58,512, will be used to partially finance the cost of the proposed agreement with Smith. The remaining cost will be financed from the proposed CDBG appropriations and transfers.

The transfers will require amendment of the CDBG plans. A public hearing on this amendment is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-123

Ordinance No. 2001-357
(Int. No. 373, As Amended)

Authorizing An Amendatory 2001-02 Community Development Program Plan, Amending Ordinance No. 99-18 And Authorizing An Agreement For The Zoning Ordinance And Map Revision Project And Authorizing An Agreement For Cascade Historic District Street Furniture And Art

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

Section 1. The Council hereby approves an amendment to the 2001-02 Community Development Program Plan whereby within the Other Programs Allocation the Zoning Map Revision-Mapping Software Account shall be reduced by the sum of \$40,600 and said amount shall be transferred to a new account for the Zoning Map and Ordinance Update Project.

Section 2. The Council hereby further approves an amendment to the 2001-02 Community Development Program Plan whereby the Rehab Rochester Account in the Improving the Housing Stock and General Property Conditions Allocation shall be reduced by the sum of \$35,888 and said amount shall be transferred to a new account for the Zoning Map and Ordinance Update Project in the Other Programs Allocation.

Section 3. Ordinance No. 99-18, relating to the Zoning Ordinance and Map Revision Project, is hereby amended by reducing the amount authorized and appropriated in Section 5 thereof from the Other Programs Allocation of the 1998-99 Community Development Program by the sum of \$58,512.

Section 4. The Mayor is hereby further authorized to enter into an agreement with Peter J. Smith & Company to complete the Zoning Ordinance and Map Revision Project.

Section 5. The agreement shall obligate the City to pay an amount not to exceed \$135,000, and of said amount, or so much thereof as may be necessary, \$240 is hereby appropriated from the Other Programs Allocation of the 1996-97 Community Development Program, \$58,272 is hereby appropriated from the Other Programs Allocation of the 1998-99 Community Development Program and \$76,488 is hereby appropriated from the Other Programs Allocation of the 2001-02 Community Development Program.

Section 6. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. The Mayor is hereby further authorized to enter into an agreement with the Cascade Historic District, Inc. for street furniture and art to support street improvements in the Cascade Historic District.

Section 8. The agreement shall obligate the City to pay an amount not to exceed \$30,000, and said amount, or so much thereof as may be necessary, shall be funded from the appropriation made in Ordinance No. 2001-294.

Section 9. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section [7] 10. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.
TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-358 and
Ordinance No. 2001-359
Re: Brooks Landing Revitalization Project

Transmitted herewith for your approval is legislation relating to the Brooks Landing Revitalization Project. This legislation will:

1. Authorize an agreement with FRA Engineering, 245 Summit Drive, for engineering and resident project representation services relating to the transportation improvements included in the project, at a maximum cost of \$200,000; and

2. Authorize the issuance of bonds totaling \$200,000 and appropriate the proceeds thereof to finance this cost.

The project involves the joint development of land along the Genesee River by Flaum Management and the City. The total estimated cost of development is \$17,400,000.

Private Development	\$15,100,000
Public Development	2,300,000
Total	\$17,400,000

The private development will include construction of a hotel, restaurant, office and conference center facilities containing approximately 105,000 square feet and commercial facilities containing approximately 16,000 square feet.

The public development will include construction of a pedestrian promenade that will connect to the existing river trail system, boat docking facilities, new park areas, reconstruction of a portion of Brooks Avenue, and improvements to four intersections in the vicinity of the development area. The planned street improvements are based on a traffic study conducted by FRA in 1999.

Under the proposed agreement, FRA will design the street improvements and provide inspection services. FRA is recommended to provide these services because of its familiarity with the project.

Construction of the improvements is expected to begin in the summer of 2002 and be substantially completed in the spring of 2003. The estimated cost of the improvements is \$1,200,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-124

Ordinance No. 2001-358
(Int. No. 379)

Establishing \$200,000 As Maximum Compensation For A Professional Services Agreement For The Brooks Landing Revitalization Project

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

Section 1. The sum of \$200,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and FRA Engineering, P.C. for engineering planning and design and resident project inspection services for street improvements as a part of the Brooks Landing Revitalization Project. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the Project. Said amount shall be funded from a bond ordinance adopted for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-359
(Int. No. 380)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$200,000 Bonds

Of Said City To Finance The Cost Of Engineering, Planning, Design And Project Inspection Services For Certain Street Improvements Related To The Brooks Landing Revitalization Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of engineering, planning, design and project inspection services for certain street improvements related to the Brooks Landing Revitalization Project within the City (the "Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$200,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$200,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$200,000 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 \$200,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.20(c) of the Law, is fifteen (15) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City

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

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

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

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-360
Re: Official Map Amendment - Holmdel
Place Abandonment

Transmitted herewith for your approval is legislation amending the Official Map by abandoning Holmdel Place.

The abandonment was proposed by the Rochester-Genesee Regional Transportation Authority in conjunction with the planned expansion of its facilities at 1372-1398 E. Main Street. The area to be abandoned contains approximately .144 acres and will revert to RGRTA as the owner of the adjacent properties.

After the abandonment, the area will be combined with these properties. The combined properties will be developed for parking and landscaped.

The Planning Commission held an informational hearing concerning the proposed abandonment on October 9; two representatives of RGRTA were the only speakers. The Commission recommended by a vote of 5-0 that the abandonment be approved, subject to various conditions.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the proposal will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-125

Ordinance No. 2001-360
(Int. No. 382)

Abandonment Of Holmdel Place

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 parcel, heretofore dedicated to street purposes and constituting Holmdel Place:

All that tract or parcel of land containing 0.144 acres, more or less, situate in the City of Rochester, County of Monroe, State of New York, all as shown on a plan entitled "Rochester-Genesee Regional Transit Authority, Road Abandonment Plan Holmdel Place" prepared by Sear Brown dated June 15, 2001 having Drawing No. 1670701 SK 1, and being more particularly bounded and described as follows:

Beginning at a point of intersection of the northerly right-of-way line of East Main Street (66 feet wide) with the westerly right-of-way line of Holmdel Place (50 feet wide); thence

Thence (1) N 10°58'19"E, along said westerly right-of-way line, a distance of 125.00 feet to a point; thence

Thence (2) S 79°01'41"E, a distance of 50.00 feet to a point of intersection with the easterly right-of-way line of said Holmdel Place; thence

Thence (3) S 10°58'19"W, along said easterly right-of-way line, a distance of 125.00 feet to a point of intersection with the aforementioned northerly right-of-way line of East Main Street; thence

Thence (4) N 79°01'41"W, along said northerly right-of-way line a distance of 50.00 feet to the Point of Beginning.

Subject to any easements or encumbrances of record.

Section 2. The abandonment authorized herein shall take effect upon compliance by the applicant with the provisions established by the City Planning Commission in its recommendations of October 9, 2001.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Introductory No. 383
Re: Zoning Map Amendment -
618 Upper Falls Boulevard

Transmitted herewith for your approval is legislation amending the Zoning Map by changing the classification of 618 Upper Falls Boulevard from R-3 Low-Medium Density Residential to C-2 Community Commercial.

The property abuts C-2 uses to the north and east and R-3 uses to the south and west. It contains a masonry structure that is used for auto repairs.

The rezoning was proposed by the owner of the property, Alco Paving (owner: Mark Calcagno). If the rezoning is approved, the property will also be combined with the owner's adjacent properties at 379 and 387 Hudson Avenue and used for auto sales.

The Planning Commission held an informational hearing on the proposed rezoning on October 9; Mr. Calcagno and Joseph Blair, the prospective purchaser of the properties, were the only speakers. The Commission recommended by a vote of 4-0-1 that the rezoning be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Article 8 of the City Code, it has been determined that the proposed rezoning will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilman Norwood moved to return Introductory No. 383 to committee.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Introductory No. 383

CHANGING THE ZONING CLASSIFICATION OF 618 UPPER FALLS BOULEVARD FROM R-3 LOW-MEDIUM RESIDENTIAL TO C-2 COMMUNITY COMMERCIAL

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by changing the zoning classification of the following described property, constituting 618 Upper Falls Boulevard, from R-3 Low-Medium Density Residential to C-2 Community Commercial:

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 of intersection of the

centerline of Upper Falls Boulevard and the intersection of the dividing line between Lots 68 and 69 of the Bardwell Tract filed in the Monroe County Clerk's Office in Liber 1 of maps at page 89, extended southerly;

Thence (1) Northerly along said extension and the dividing line between Lot 68 and 69 a distance of 125.00 feet to an angle point west in the westerly line of lands owned now or formerly by the Alco Paving, Inc.;

Thence (2) Northerly continuing along the westerly line of lands owned by said Alco Paving, Inc. a distance of 44.12 feet to the northwest corner of said lands;

Thence (3) Easterly along the northerly line of said Alco Paving, Inc. lands a distance of 73.28 feet more or less to the westerly line of Lot R-6 of Municipal Subdivision 81-99 filed in the Monroe County Clerk's Office in Liber 220 of maps at page 11, extended northerly;

Thence (4) Southerly along said extension and the westerly line of said Lot R-6 a distance of 64.60 feet more or less to the northerly line of said Bardwell Tract;

Thence (5) Northwesterly along said northerly line of the Bardwell Tract a distance of 1.97 feet more or less to the west line of Lot R-6 and the easterly line of lands owned now or formerly by the Alco Paving, Inc.;

Thence (6) Southerly along the easterly line of Lot 70 of the Bardwell Tract and its southerly extension to the centerline of Upper Falls Boulevard;

Thence (7) Westerly along the centerline of Upper Falls Boulevard to the point or place of beginning.

Section 2. This ordinance shall take effect immediately.
Held in committee.

TO THE COUNCIL:
Ladies and Gentlemen:

Introductory No. 384
Re: Zoning Map Amendment -
50-52 Bennington Drive

Transmitted herewith for your approval is legislation amending the Zoning Map by changing the classification of 50-52 Bennington Drive from C-2 Community Commercial to M Manufacturing Industrial.

The property abuts M-1 uses to the north and east, C-2 uses to the south, and R-3 Medium Density Residential uses to the west. It contains a one-story cement structure.

The rezoning was requested by the owner of the property, John Affronti. If the rezoning is approved, the following current uses of the building will become legal:

Auto repair/transport	1,800 square feet
Auto repair	1,500
Welding	1,500
Pavement striping	3,000
Total	7,800 square feet

Continued use of the building will require the installation of a 10' landscaped area along the street perimeter of the existing parking lot, since the property abuts a residential area. Site plan approval will be required.

The Planning Commission held an informational hearing on the proposed rezoning on September 10; a representative of Mr. Affronti was the only speaker. The Commission recommended by a vote of 5-0 that the rezoning be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the proposed rezoning will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilman Norwood moved to return Introductory No. 384 to committee.

The motion was seconded by Councilman Mains.

The motion was adopted unanimously.

Introductory No. 384

CHANGING THE ZONING CLASSIFICATION OF 50-52 BENNINGTON DRIVE FROM C-2 COMMUNITY COMMERCIAL TO M MANUFACTURING INDUSTRIAL

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by changing the zoning classification of the following described property, constituting 50-52 Bennington Drive, from C-2 Community Commercial to M Manufacturing Industrial:

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 centerline of Bennington Drive at it's intersection of the southerly line of Lot A, of the Jomis Subdivision extended westerly, said Jomis Subdivision map being filed in the Monroe County Clerk's Office in Liber 244 of maps at page 3;

Thence (1) Northerly along the centerline of Bennington Drive a distance of 144.10 feet to the westerly extension of the northerly line of said Lot A;

Thence (2) Easterly along said extension and the northerly line of said Lot A, a distance of 180 feet, to the lands owned now or formerly by the Buffalo Rochester and Pittsburgh

Railway;

Thence (3) Southerly along the rear of said Lot A and the westerly line of said Railway lands a distance of 144.10 feet to the southerly line of said Lot A;

Thence (4) Westerly along the southerly line of said Lot A and it's westerly extension a distance of 180 feet to the point or place of beginning.

Section 2. This ordinance shall take effect immediately.

Held in committee.

By Councilmember Mains
October 23, 2001

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 374 - Cancellation Of Taxes And Charges

Int. No. 375 - Resolution Approving An Appointment To The Board Of Assessment Review

Int. No. 376 - Authorizing Collections Agreements For The Parking Violations Bureau And Municipal Code Violations Bureau

Int. No. 377 - Establishing \$4,500 As Maximum Compensation For An Amendatory Professional Services Agreement For Expert Medical Services

Int. No. 378 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Continued Administration Of The Drug Testing Program

Respectfully submitted,
Tim O. Mains (Voted against Intro. No. 378.)
Brian F. Curran
Nancy K. Griswold
Gladys Santiago

JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-361
Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$11,250.00.

This amount relates to code violation charges for five properties.. The charges are attributed to the former owners of the properties.

If this cancellation is approved, total cancellations thus far for 2001-02 will be \$172,571.42.

Accounts Amounts

City Council	16	\$143,918.86
Administrative	89	28,652.56
Total	105	\$172,571.42

These cancellations represent .086% of the tax receivables as of July 1, 2001.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-361
(Int. No. 374)

Cancellation Of Taxes And Charges

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

Section 1. The City Treasurer is authorized to cancel the following City taxes and charges:

- (a) The following properties were assessed code violation fines on the 2002 City/School tax bill. The fines were accrued by the former owners and should be canceled at this time.

S.B.L.#	Tax	Amount
Class Address	Year	Canceled
106.390-0004-008 H 45 Rauber St.	2002	\$1,550.00
120.420-0002-003 H 90 York St.	2002	3,000.00
120.480-0003-041 H 116 Lozier St.	2002	1,500.00
120.660-0001-049 N 116-122 Arnett Blvd.	2002	3,250.00
121.460-0001-023 H 70 Adams St.	2002	<u>1,950.00</u>
Total		\$11,250.00

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Resolution No. 2001-17
Re: Reappointment - Board Of
Assessment Review

Transmitted herewith for your approval is legislation to approve the reappointment of:

William G. Coppard
130 Gibbs Street
Rochester, NY 14605

to a five-year term on the Board of Assessment Review. Mr. Coppard's current term expired on

September 30; he is eligible for reappointment to another term.

Mr. Coppard has been active as a real estate professional and developer in Rochester for many years; he has extensive experience in both commercial and residential real estate. In addition to the most recent term, he previously served as a member of the Board of Assessment Review from 1979 to 1983. A copy of his resume is on file in the City Clerk's Office.

Respectfully submitted,
Lois J. Giess
President

Resolution No. 2001-17
(Int. No. 375)

Resolution Approving An Appointment To The Board Of Assessment Review

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

Section 1. The Council hereby approves the appointment of William G. Coppard, 130 Gibbs Street, Rochester, NY 14605, to the Board of Assessment Review for a five-year term that will expire on September 30, 2006.

Section 2. This resolution shall take effect on immediately.

Adopted unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-362
Re: Agreements - Parking Violations
Summonses Collection

Transmitted herewith for your approval is legislation authorizing agreements with the Credit Bureau of Rochester, 19 Price Street, and Mercantile Adjustment Bureau, 40 West Avenue, for the collection of unpaid parking violation summonses. The cost of these services will be financed from the collection revenues.

All parking violation summonses that remain unpaid 90 days after issuance become, by default, civil judgments. Since 1979, the collection of these judgments has been assigned to private companies.

Agreements with such companies were most recently authorized by the City Council on October 13, 1998. These agreements will expire on December 31, 2001.

In August, the Department of Finance solicited proposals for the provision of collection services after that date. Five proposals were submitted in response to this solicitation.

These proposals were evaluated by the Department of Finance, which recommended CBR and MAB, primarily because of their experience, collection performance and their credit reporting procedures. CBR and MAB have provided collection services for the City for 22 and 12 years, respectively.

The service fees, or commissions, of these companies will continue to be based upon a percentage of collections. The commission rates will continue to be adjusted semi-annually to correspond to collection

production and will continue to range from a minimum of 16% to a maximum of 30%.

The collection accounts will be assigned to the agencies on a 50%/50% basis for the first six months of the first year of the agreements. After six months, the percentage of accounts assigned to each agency will be adjusted according to collection performance in the previous twelve-month period. Beginning July 1, 2002, the percentage of accounts assigned to each agency will be adjusted annually according to collection performance in the previous twelve-month period and will range from a minimum of 40% to a maximum of 60%.

A summary of the performance of the present collection companies from January 1, 1999 through July 1, 2001 is attached. Total commission fees for CBR were \$450,815 while the total fees for MAB were \$559,815.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-126

Ordinance No. 2001-362
(Int. No. 376)

Authorizing Collections Agreements For The Parking Violations Bureau And Municipal Code Violations Bureau

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

Section 1. The Mayor is hereby authorized to enter into agreements with the Credit Bureau of Rochester and Mercantile Adjustment Bureau for the collection of unpaid parking and Municipal Code violations judgments.

Section 2. The agreements shall authorize the collection agencies to retain not to exceed thirty percent (30%) of the amount collected as commission.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-363
Re: Agreement - J. Richard Ciccone,
Medical Evaluation

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with J. Richard Ciccone, M.D., 300 Crittenden Boulevard, for additional medical evaluation and expert witness services. The maximum cost of this agreement will be \$4,500, which will be financed from the 2001-02 budget of the Law Department.

The evaluation and other services were required for a lawsuit against the City by Vincent LaBarbera, who alleged that he suffers from post-traumatic stress syndrome as a result of the use of excessive force by

a police officer during an arrest in May, 1998. The original agreement with Dr. Ciccone for such services was executed in September, 2000; an amendatory agreement, for the provision of additional services, was authorized by the City Council on March 20, 2001.

During the trial, Dr. Ciccone reviewed and testified about medical records and information that previously had not been available. His testimony contributed to a favorable verdict for the City.

The fee for the additional services provided during the trial was \$400 per hour, the same amount as specified in the original and first amendatory agreements. The proposed second amendatory agreement will provide for payment of the additional fees.

If the proposed agreement is approved, the total cost of the agreement with Dr. Ciccone will increase to \$24,500.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-363
(Int. No. 377)

Establishing \$4,500 As Maximum Compensation For An Amendatory Professional Services Agreement For Expert Medical Services

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

Section 1. The sum of \$4,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and J. Richard Ciccone, M.D., for expert medical services in a pending lawsuit. Said amount shall be funded from the 2001-02 Budget of the Law Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-364
Re: Agreement - Newport Alliance, Drug
Testing Program

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Newport Alliance for Business Health, of Newport, Rhode Island, for continued administration of a drug-testing program. The maximum cost of this agreement will be \$8,950, which will be financed from the 2000-01 budget for Undistributed Expense.

Under the federal Omnibus Transportation Employee Testing Act of 1991, beginning January 1, 1995, all employees whose duties require the possession of commercial drivers licenses became subject to tests for drug and alcohol abuse. At present, the City has approximately 310 such employees.

Testing is mandated under the following circumstances:

1. Prior to employment,

2. After accidents involving death, hospitalization or the issuance of a police citation,
3. Upon reasonable suspicion,
4. On a random basis for...
 - a. Drugs, for at least 50% of the affected employees each year, and
 - b. Alcohol, for at least 10% of the affected employees each year.
5. Upon return to work from treatment for drug or alcohol abuse.

In addition, training concerning the effect of drugs and alcohol upon work performance is required.

To implement this mandate, since January, 1995, the City Council has authorized periodic agreements with Newport for administration of a drug-testing program; the most recent agreement was authorized by the Council on April 26, 2001. Pursuant to the latter agreement, Newport has provided the following drug testing services during 2001:

Tests	Number
Pre-employment	148
Post-accident	—
Random	
Drug	117
Alcohol	34
Return to duty	5
Follow-up	9
Total	313

This number is within the number of tests originally projected for 2001 (630). The total cost, \$13,053, is also within the \$25,000 originally allocated for tests during 2001.

However, an additional \$10,695 had to be paid in 2001 for tests conducted in 2000. The unencumbered balance of the 2001 allocation is therefore \$1,252.

The proposed amendatory agreement will provide the additional allocation projected to be required for payment of the costs of tests conducted during the remaining months of 2001. If the agreement is approved, the total cost of the agreement with Newport will increase to \$33,950.

Under the proposed agreement, Newport will continue to:

1. Ensure that all employees subject to testing are registered and have been issued identification cards;
2. Continue to contract for medical facilities within the city to serve as specimen collection points;
3. Provide for the transport of all specimens from these facilities to approved laboratories;
4. Based upon the test results and any medical information provided by an employee, determine the positive or negative status of drug or alcohol use;
5. Advise the City of such determination;
6. Maintain all required records and provide all required reports;

7. Monitor the performance of the testing sites; and

8. Provide informational and educational programs for the employees subject to the testing program and their supervisors.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-364
(Int. No. 378)

Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Continued Administration Of The Drug Testing Program

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

Section 1. The sum of \$8,950, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Newport Alliance for Business Health for continued administration of the drug testing program. Said amount shall be funded from the 2001-02 budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Mains - 1.

The meeting was adjourned at 8:47 P.M.

CAROLEE A. CONKLIN
City Clerk

* * * * *

REGULAR MEETING
November 20, 2001

Present - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Santiago, Stevenson, Thompson - 9.

Absent - none - 0.

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.

APPROVAL OF THE MINUTES
By Councilmember Norwood

RESOLVED, that the minutes of the Regular Meeting of October 23, 2001, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Administrative Cancellation or Refund of Erroneous Taxes and Charges. 3674-7
Claims Report. 3675-7

THE COUNCIL PRESIDENT - PRESENTATION
AND REFERENCE OF PETITIONS AND REMONSTRANCES.

By Councilman Stevenson - Old Mt. Read Boulevard residents request for no parking signage to be placed on said street. Petition No. 5093

THE COUNCIL PRESIDENT - RECEIVED AND
FILED.

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Changing The Zoning Classification Of 45, 49 And 57 Bay Street From R-3 Low Medium Residential To C-2 Community Commercial Int. No. 415 One speaker: Mary Connors.

Approval Of The Sale Of Land In The 14621 Industrial Park To Excel Realty LLC Int. No. 424 No speakers.

INTRODUCTION OF AND ACTION UPON LOCAL
LAWS, ORDINANCES AND RESOLUTIONS.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-365
Re: Drug Summit

Transmitted herewith for your approval is legislation relating to a summit meeting on illegal drugs. This legislation will:

1. Authorize an agreement with BOTEC Analysis Corporation, of Cambridge, Massachusetts, for planning and management of the meeting, at a maximum cost of \$21,000; and

2. Amend the 2001-02 budget of the Police Department to reflect the receipt of a donation of \$25,000 from the Eastman Kodak Company to finance the cost of the agreement and other costs of the meeting.

The summit, which is scheduled to be held at Rochester Riverside Convention Center on December 3, is intended to provide an opportunity for the exchange of information among experts concerning innovative and effective methods of reducing illegal drug trafficking. The participants in the summit will include law enforcement and judicial officials, drug treatment providers, recovering drug addicts and representatives of the community.

BOTEC is recommended to plan and manage the summit because of its expertise resulting from its policy analysis and research concerning illegal drugs. BOTEC's chairman, Mark Kleiman, is currently the chair of the drug policy committee of the Federation of American Scientists and editor of the Drug Policy Analysis Bulletin.

Mr. Kleiman will be assisted in facilitating the summit by Jeremy Travis, former Director of the National Institute of Justice, and Dr. David Kennedy, of the Kennedy School of Government at Harvard University. Preparatory materials will be disseminated to participants prior to the summit and, at the conclusion of the summit, a written report of the proceedings will be prepared.

The donation by Kodak will finance all costs of the summit.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-365
(Int. No. 436)

**Establishing Maximum Compensation For A
Professional Services Agreement For A Drug Summit
And Amending The 2001-02 Budget**

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

Section 1. The sum of \$21,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and BOTEC Analysis Corporation for a summit on illegal drugs in Rochester. Said amount shall be funded from the 2001-02 Budget of the Rochester Police Department.

Section 2. Ordinance No. 2001-215, the 2001-02 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$25,000, which amount is hereby appropriated from a grant from the Eastman Kodak Company.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

REPORTS OF STANDING COMMITTEES AND
ACTION THEREON

By Councilmember Stevenson
November 20, 2001

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 395 - Authorizing Agreements For Structural Engineering Services For Building Renovation Projects

Int. No. 396 - Authorizing Participation In The Center City Signage Federal Aid Project

Int. No. 397 - Authorizing Participation In The Lexington Avenue Federal Aid Project

Int. No. 398 - Authorizing Participation In The Inner Loop Modifications, Phase II Federal Aid Project

Int. No. 399 - Establishing \$25,000 As Maximum Compensation For Professional Services Agreements For Appraisal Services For The West Ridge Road Project And Authorizing City Responsibility For Maintenance Of Water Facilities, As Amended

Int. No. 400 - Establishing \$65,000 As Maximum Compensation For A Professional Services Agreement For Engineering Design Services For The Pont de Rennes Pedestrian Bridge Structural Repair Project

Int. No. 401 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement With Optimization Technology Inc. For Services For The Hemlock Filtration Plant

Int. No. 402 - Authorizing An Intermunicipal Agreement For The Monroe County Storm Water Coalition

Int. No. 403 - Approving A Partial Assignment Of An Easement For Hemlock Lake Water

Int. No. 404 - Establishing Maximum Compensation For A Professional Services Agreement For Temporary Technical Personnel

Int. No. 431 - Authorizing An Agreement For The Energy Savings Program

Int. No. 432 - Establishing \$75,000 As Maximum Compensation For An Amendatory Professional Services Agreement For The East End Development Improvement Project

Int. No. 433 - Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement For The 2002 Curb Replacement Program

Respectfully submitted,
Brian F. Curran
Lois J. Giess
Gladys Santiago
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-366
Re: Agreements - Engineering Services
Transmitted herewith for your approval is legislation authorizing agreements with the following organiza-

tions for structural engineering services required for the building renovation program.

Organization	Address
David R. Cassara Associates	1330 Buffalo Road
FRA Engineering	245 Summit Point Drive
Herrick- Saylor Engineers	349 W. Commercial Street
Jensen Engineering	1653 E. Main Street
Ravi Engineering	6605 Pittsford-Palmyra Road

The cost of the agreements will be financed from Cash Capital allocations of the Department of Environmental Services.

The building renovation program is designed to preserve and enhance the value and usefulness of City facilities. The program includes both routine maintenance and rehabilitation and special renovation projects.

Historically, the engineering services required for the program have been obtained from private organizations. Structural engineering services are presently being provided by Jensen under an agreement that was executed in July, 1998; amendatory agreements were authorized by the City Council on April 13, 1998 and July 17, 2001.

Proposals for the future provision of structural engineering services were solicited from eight organizations. The five aforementioned organizations submitted proposals and are recommended by the Department of Environmental Services.

Following is a list of projects for which structural engineering services are expected to be required during 2001-02.

Facility	Project
Engine #17 Fire House (N. Chestnut St.)	Investigation of cracking floor
Midtown Parking Garage	Repair of leaks from Broad Street
Maplewood Branch Library	Repair of retaining walls
Parks Maintenance and Operations Bldg.	Investigation of settling floor
High Falls Terrace	Evaluation of Dewey Ave. retaining wall
Genesee Street Fire House	Investigation of structural foundation shoring
Salt Storage Building	Investigation of integrity of roof deck
Mt. Read Operations Center	Repair of structural damage
	Reconstruction of interior masonry wall

The assignment of projects to organizations will be based on their special skills and expertise and their ability to provide the required services within the time period specified by the City. The cost of the services will be based on specified hourly rates.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-366
(Int. No. 395)

Authorizing Agreements For Structural Engineering Services For Building Renovation Projects

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for structural engineering services required for 2001-02 building renovation projects as required by the City:

Organization Address

David R. Cassara Associates
1330 Buffalo Rd., Rochester, NY
FRA Engineering, P.C.
245 Summit Point Dr., Henrietta, NY
Herrick-Saylor Engineers, P.C.
349 W. Commercial St., E. Rochester, NY
Jensen Engineering, P.C.
1653 E. Main St., Rochester, NY
Ravi Engineering & Land Surveying, P.C.
6605 Pittsford-Palmyra Rd., Fairport, NY

Section 2. The agreements may exceed one year and shall obligate the City to pay an amount not to exceed the amount budgeted for each project, which shall be funded from the annual budget or from project appropriations.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance Nos. 2001-367, 2001-368
and 2001-369

Re: Transportation Improvement Project
Administration

Transmitted herewith for your approval is legislation relating to three following transportation improvement projects. This legislation will:

1. Authorize agreements with the NYS Department of Transportation for administration of the projects by the City; and
2. Appropriate a total of \$809,600 in anticipated reimbursements to partially finance the costs of preliminary engineering and design services for the projects.

Center City Signage Project	\$ 61,600
Lexington Avenue Improvement Project	348,000
Inner Loop Modification Project	400,000
Total	\$809,600

The costs of each of the projects will be financed primarily by federal and state funds. However, under the proposed agreements, the City will administer each of the projects.

The Center City project will involve the fabrication and installation of directional signs that will replace the present signs, which were installed in 1983. An

agreement with Corbin for conceptual design of the signage was authorized by the City Council on June 14.

The Lexington Avenue project will extend from Mt. Read Boulevard to Dewey Avenue. It will involve the reconfiguration, rehabilitation or reconstruction of the roadway; resolution of the inadequate clearance under the existing railroad bridge; improvements to the water system; replacement of curbs, catch basins, driveway aprons and sidewalks; traffic modifications and signage improvements; and landscaping.

Construction of the Center City project is scheduled to begin in the spring of 2003 and be completed in the fall, while construction of the Lexington Avenue project is scheduled to begin in the spring of 2004 and be completed in the fall.

Following are the estimated construction costs and expected financing for these two projects:

	<u>Center City</u>	<u>Lexington Avenue</u>
Federal	\$450,000	\$4,386,000
State	0	822,000
Local	113,000	275,000
Total	\$563,000	\$5,483,000

The Inner Loop project will involve modifications that reduce the physical "barriers" between the Center City and adjacent neighborhoods. An agreement with The Sear-Brown Group for concept engineering services relating to the project was authorized by the Council on December 14, 1999.

The following alternatives have been identified to achieve the objectives of the project:

1. Raising the portion of the Inner Loop between Monroe and East Avenue,
2. Installing an off-ramp from I-490 westbound to S. Union Street, and
3. Reconfiguring the I-490/South Avenue/Bryan Street interchange.

The NYS DOT has allocated \$500,000 to partially finance the costs of further assessment of these alternatives. The assessment is expected to be completed by the spring of 2003.

The proposed appropriations will partially finance the costs of preliminary design of the Center City and Lexington Avenue projects and further assessment of the Inner Loop project. The local share of these costs will be financed from Cash Capital allocations or the budget of the Department of Environmental Services.

<u>Project</u>	<u>Federal</u>	<u>State</u>	<u>Local</u>	<u>Total</u>
Center City				
\$ 61,600	\$	0	\$15,400	\$ 77,000
Lexington Avenue				
348,000		0	87,000	435,000
Inner Loop				
400,000	100,000		25,000	525,000

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-127

Ordinance No. 2001-367
(Int. No. 396)**Authorizing Participation In The Center City
Signage Federal Aid Project**BE IT ORDAINED, by the Council of the City of
Rochester as follows:

Section 1. The Council hereby approves participation by the City in the Center City Signage Federal Aid Project.

Section 2. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation as may be necessary for implementation of the Project.

Section 3. The agreements shall obligate the City to pay an amount not to exceed \$15,400, and said amount, or so much thereof as may be necessary, shall be funded from the 1999-2000 Cash Capital Allocation.

Section 4. The sum of \$61,600, or so much thereof as may be necessary, is hereby appropriated from anticipated reimbursements from the Federal Highway Administration to fund preliminary engineering/design costs for the Center City Signage Project.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-368
(Int. No. 397)**Authorizing Participation In The Lexington
Avenue Federal Aid Project**BE IT ORDAINED, by the Council of the City of
Rochester as follows:

Section 1. The Council hereby approves participation by the City in the Lexington Avenue (Mt. Read Boulevard to Dewey Avenue) Federal Aid Project.

Section 2. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation as may be necessary for implementation of the Project.

Section 3. The agreements shall obligate the City to pay an amount not to exceed \$87,000, and said amount, or so much thereof as may be necessary, shall be funded from the 2001-02 Cash Capital Allocation.

Section 4. The sum of \$348,000, or so much thereof as may be necessary, is hereby appropriated from anticipated reimbursements from the Federal Highway Administration to fund preliminary engineering/design and right of way incidental costs for the Lexington Avenue Project.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-369
(Int. No. 398)**Authorizing Participation In The Inner Loop
Modifications, Phase II Federal Aid Project**BE IT ORDAINED, by the Council of the City of
Rochester as follows:

Section 1. The Council hereby approves participation by the City in the Inner Loop Modifications, Phase II Project.

Section 2. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation as may be necessary for implementation of the Project.

Section 3. The agreements shall obligate the City to pay an amount not to exceed \$25,000, and said amount, or so much thereof as may be necessary, shall be funded from the 2001-02 Budget of the Department of Environmental Services.

Section 4. The sum of \$400,000, or so much thereof as may be necessary, is hereby appropriated from anticipated reimbursements from the Federal Highway Administration, and the sum of \$100,000, or so much thereof as may be necessary, is hereby appropriated from anticipated reimbursements from the State of New York, to fund the Inner Loop Modifications, Phase II Project.

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

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - Councilman Mains - 1.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-370
Re: Agreements - Appraisals, W. Ridge
Road Improvement Project

Transmitted herewith for your approval is legislation authorizing an agreement or amendatory agreement with the following organizations for the appraisal of up to 29 properties, or portions thereof, to be acquired in conjunction with the W. Ridge Road Improvement Project.

Organization	Amount
Bruckner, Tillet, Rossi, Cahill and Leggett	\$15,000

1151 Pittsford-Victor Road

Pogel, Schubmehl, Rogachefsky and
Ferrara 10,000
2509 Browncroft Boulevard

The cost of the agreements will be financed from the federal aid appropriated by the City Council on April 18, 2000.

The W. Ridge Road project extends from the Veteran's Memorial Bridge to N. Greece Road, a distance of approximately six miles. The City is administering the portion of the project from the bridge to Hanford Landing Road, while NYS DOT is administering the portion from the latter point to N. Greece Road.

An agreement for preliminary design of the project, by Bergmann Associates, was authorized by the City Council on April 18, 2000. The project will involve reconstruction of the pavement; construction of loading and drop-off areas in front of the buildings at Kodak Park; construction of a limited access road on the south side of Ridge Road, east of Lake Avenue; relocation of certain utilities; replacement of curbs, driveway aprons and sidewalks; traffic modifications; and landscaping.

The estimated cost of the project is \$16,843,000, which will be financed as follows:

Federal	\$10,754,000
State	2,789,000
City	3,300,000
Total	\$16,843,000

The City's estimated cost reflects the inclusion in the project of certain improvements proposed by the City as an alternative to the original project plan of NYS DOT.

The project will require the acquisition of up to 29 properties, or portions thereof. Under the proposed agreements, appraisals of the value of each of these properties or parcels will be obtained.

It is expected that most properties and parcels will be acquired through eminent domain proceedings. The occupants of the properties will be relocated and any structures on the properties will be demolished.

Design of the project is expected to be completed in 2002. Construction is expected to begin in 2004 and be completed in 2005.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-128

Ordinance No. 2001-370
(Int. No. 399, As Amended)

Establishing \$25,000 As Maximum Compensation For Professional Services Agreements For Appraisal Services For The West Ridge Road Project And Authorizing City Responsibility For Maintenance Of Water Facilities

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

Section 1. The sum of \$15,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services

agreement between the City and Bruckner, Tillett, Rossi, Cahill and Leggett for initial appraisal reports for the acquisition of parcels for the West Ridge Road Project. Said amount shall be funded from the appropriations made in Ordinance No. 2000-111.

Section 2. The sum of \$10,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Pogel, Schubmehl, Rogachefsky and Ferrara for review appraisal reports for the acquisition of parcels for the West Ridge Road Project. Said amount shall be funded from the appropriations made in Ordinance No. 2000-111.

Section 3. The Council hereby accepts responsibility for maintenance of the water-related facilities of the West Ridge Road Improvement Project within the City upon completion of construction, as a part of City participation in the Project which was approved in Ordinance No. 2001-340.

Section 4. This ordinance shall take effect immediately.

Underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-371
Re: Agreement - Bergmann Associates,
Pont de Rennes Repair Project

Transmitted herewith for your approval is legislation authorizing an agreement with Bergmann Associates, 200 First Federal Plaza, for engineering services relating to the Pont de Rennes Repair Project. The maximum cost of the agreement will be \$65,000, which will be financed from the 2000-01 Cash Capital allocation of the Department of Environmental Services.

Pont de Rennes, formerly known as the Platt Street Bridge, is a pedestrian bridge that spans the Genesee River. It was constructed in 1890 as a highway bridge but was closed to vehicular traffic in 1968. In 1980, it was converted to a pedestrian bridge and is now part of the High Falls entertainment district.

As you are aware, sound, light and laser shows are presented in the river gorge near the bridge during the summer and on certain other occasions. During these shows the bridge is used by many people as a viewing platform.

At such times, the weight load and dynamics imposed on the bridge are significant. It is therefore imperative that the structural integrity of the bridge is ensured.

For this purpose, on January 20, 1998, the City Council authorized an agreement with Bergmann for a comprehensive inspection of the bridge and a structural analysis. The analysis included dynamic modeling to determine the natural frequency of the structure and its intended loads.

The repair project reflects the results of this inspection and analysis. It will involve the strengthening or replacement of various structural elements, partial painting of the structural steel, drainage improvements and sealing of deck joints.

Under the proposed agreement, Bergmann will design the repairs. Bergmann is recommended to provide

these services because of its familiarity with the bridge structure.

The repairs are expected to be completed during the summer of 2002. The estimated cost of the repairs is \$800,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-129

Ordinance No. 2001-371
(Int. No. 400)

Establishing \$65,000 As Maximum Compensation For A Professional Services Agreement For Engineering Design Services For The Pont de Rennes Pedestrian Bridge Structural Repair Project

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

Section 1. The sum of \$65,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for engineering design services for the Pont de Rennes Pedestrian Bridge Structural Repair Project. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the Project. Said amount shall be funded from the 2000-01 Cash Capital allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-372
Re: Agreement - Optimation Technology,
Water Automation System

Transmitted herewith for your approval is legislation authorizing an amendatory three-year agreement with Optimation Technology, Inc., 50 High Tech Drive, for additional services relating to the enhancement and maintenance of the computer systems relating to the water automation system. The maximum cost of this agreement will be \$40,000, which will be financed from the 2001-02 budget of the Department of Environmental Services.

The automation system is designed to control and monitor all processes at the Hemlock Lake filtration plant, at the reservoirs and at various other locations throughout the distribution system. It includes programmable logic devices, remote terminals and various operating programs.

Optimation designed the system under an agreement authorized by the City Council on December 5, 1998. It is providing on-going maintenance and support services under an agreement authorized on September 19, 2000.

In conjunction with this maintenance and support, Optimation has assisted in the following enhancements of the system.

1. Transition of the sequential query logic database

to a new server with greater operating capacity;

2. Development of a database and reporting system for laboratory data;
3. Upgrade of the supervisory control and data acquisition system;
4. Addition of several remote control and monitoring units.

In addition, Optimation will be assisting in the automation of the effluent valves at the reservoirs.

If the amendatory agreement is approved, the total cost of the agreement with Optimation will increase to \$70,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilman Stevenson moved to amend Introductory No. 401.

The motion was seconded by Councilmember Griswold.

The motion was adopted unanimously.

Ordinance No. 2001-372
(Int. No. 401, As Amended)

Establishing Maximum Compensation For An Amendatory Professional Services Agreement With Optimation Technology Inc. For Services For The Hemlock Filtration Plant

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

Section 1. The sum of [\$40,000] \$50,000, or so much thereof as may be necessary, is hereby established as the additional compensation to be paid for an amendatory professional services agreement between the City and Optimation Technology Inc. for troubleshooting, repair and enhancement of hardware and software systems and associated appurtenances at the Hemlock Filtration Plant. The amendatory agreement may extend for the final two years of the original term of three years. Said amount shall be equally funded from the 2001-02 and 2002-03 Budgets of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-373
Re: Agreement - Monroe County
Storm Water Coalition

Transmitted herewith for your approval is legislation authorizing an agreement for participation by the City in the Monroe County Storm Water Coalition. Such an agreement is permitted under section 119-0 of the NYS General Municipal Law.

The 1990 U.S. Clean Water Act established a two-phase program to protect and improve the water quality in local waterways. The regulations and standards promulgated under Phase I have applied to:

1. Separate storm sewer systems in municipalities with 100,000 or more people;
2. Construction activity disturbing five or more acres of land; and
3. Ten categories of industrial activity.

The regulations and standards promulgated under Phase II will apply to municipalities with smaller populations and construction sites of less than five acres. The regulations will be administered by the NYS Department of Environmental Conservation and will require specific actions to improve water quality beginning in 2003.

The Monroe County Storm Water Coalition was established in 2000 to assist municipalities in complying with the Phase II regulations through the identification and evaluation of options for compliance and through the coordination of compliance activities. A person from the Environmental Quality Office represents the City in the Coalition, which is coordinated by the Monroe County Department of Health.

The proposed agreement will formally authorize the City's continued participation in the Coalition, which also includes Monroe County and all villages and towns within the county. The formalization was recommended by the Monroe County Council of Governments on May 15.

There is no cost associated with participation in the Coalition.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-373
(Int. No. 402)

Authorizing An Intermunicipal Agreement For The Monroe County Storm Water Coalition

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement for participation in the Monroe County Storm Water Coalition.

Section 2. The agreement shall contain such 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. 2001-374
Re: Easement Assignment -
Eagle Crest Vineyards, Inc.

Transmitted herewith for your approval is legislation authorizing the partial assignment of an easement for the use of water from Hemlock Lake.

On August 10, 1982, the City Council authorized an agreement with Eagle Crest Vineyards, Inc. for such use. The agreement provided for:

1. An easement of 20' on the western shore of Hemlock Lake for the construction and operation of a pumping station and water lines; and
2. The sale of up to 10 million gallons of water annually at the following specified prices:
 - a. 200% of the exchange rate between the City and Monroe County Water Authority for the first five million gallons.
 - b. Regular retail rate for the second five million gallons.

The vineyard contains 129 acres of land. Eagle Crest plans to sell 25 acres to Steven Goldstone, who will establish a new winery, and 35 acres to the Nature Conservancy.

Under the proposed legislation, the applicable portion of the easement will be assigned to the new winery and both Eagle Crest and the new winery will be entitled to the use of the water. Eagle Crest will be prohibited from using the water for any future residential development on the 69 acres that it will retain.

The Nature Conservancy presently has an option for purchase of the 35 acres. The assignment will be contingent upon completion of the sale of this land, unless the Conservancy determines such completion is not possible.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-374
(Int. No. 403)

Approving A Partial Assignment Of An Easement For Hemlock Lake Water

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

Section 1. The Council hereby approves the partial assignment of an easement approved in Ordinance No. 82-364 for the use of Hemlock Lake water, from Eagle Crest Vineyards, Inc. to the entity to be formed by Steven Goldstone to purchase the winery, and the continued use by Eagle Crest Vineyards, Inc. of Hemlock Lake water on the property it will retain, contingent upon (1) Eagle Crest Vineyards, Inc. using its best efforts to complete the sale of 35 acres of its Hemlock property to the Nature Conservancy, and (2) a modification to the easement to provide that water obtained through the easement cannot be used to serve any future residential improvements on the Hemlock property retained by Eagle Crest Vineyards, Inc.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-375
Re: Agreement - Adecco Technical,
Temporary Personnel

Transmitted herewith for your approval is legislation authorizing an agreement with Adecco Technical, 2000 S. Winton Road, for the provision of temporary technical personnel to the Bureau of Architecture and Engineering Services. The maximum cost of this agreement will be \$40,000, which will be financed from the 2001-02 budget of the Department of Environmental Services.

The Bureau presently has several vacant architectural and engineering positions. Some of these positions have been vacant for an extended period of time, because of difficulty in successfully recruiting qualified personnel.

As a result of the vacancies, there is a backlog of work within the Bureau. The proposed agreement is intended to permit this backlog to be addressed by temporary personnel.

Adecco is recommended to provide these personnel because of its past performance in providing similar personnel and its present access to the type of personnel required. It will provide the personnel at specified hourly rates.

It is expected that the personnel will be assigned to the following projects or programs:

1. Building survey and inspection
2. Building renovation
3. Parking garage renovation
4. Americans with Disabilities Act compliance
5. Residential street reconstruction
6. Curb replacement
7. Hazardous sidewalk replacement

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-375
(Int. No. 404)

Establishing Maximum Compensation For A Professional Services Agreement For Temporary Technical Personnel

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

Section 1. The sum of \$40,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Adecco Technical for temporary technical personnel for the Bureau of Architecture and Engineering. Said amount shall be funded from the 2001-02 Budget of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-376
Re: Agreement - NY Power Authority,
Energy Services Program

Transmitted herewith for your approval is legislation authorizing an agreement with the NY Power Authority for participation in its Energy Services Program.

The program is intended to assist governmental agencies in the design, installation and financing of equipment that reduces energy consumption. The program was initiated in 1990 for governmental agencies in New York City and Westchester County and was expanded in 1994 to include other municipalities.

Under the program, NYPA conducts a feasibility study of public facilities to identify opportunities for possible energy conservation and cost reduction. The study includes an inspection of the facilities, review of energy costs and preparation of a life-cycle analysis and is conducted at no charge.

NYPA also designs any recommended improvements and, if requested, prefinances the costs of installation of the equipment. Repayment occurs over a 10 year period at an interest rate of not more than 4%.

An audit by NYPA of City facilities resulted in recommended improvements at the following facilities:

City Hall
Central Vehicle Maintenance Facility
Refuse Collection Garage
North Street Recreation Center
N. Chestnut Street Fire House
Monroe Avenue Fire House

The improvements are projected to reduce annual energy costs by about \$194,000 and annual maintenance costs by \$15,000. The estimated cost of the improvements is approximately \$2,293,400.

Design of the improvements is expected to be completed by June, 2002. Installation, which would be administered by NYPA, would be completed by June, 2003

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-376
(Int. No. 431)

Authorizing An Agreement For The Energy Savings Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Power Authority for the design of energy savings equipment for lighting, heating and air conditioning at six municipal facilities.

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. 2001-377
Re: Agreement - Passero Associates,
East End Improvement Project

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Passero

Associates, 100 Liberty Pole Way, for additional design services relating to the East End Improvement Project. The maximum cost of this agreement will be \$75,000, which will be financed from Cash Capital allocations of the Department of Environmental Services.

The project presently includes improvements on Charlotte Street and Bell Alley, which will be converted to a pedestrian walkway. Under the proposed amendatory agreement, Haags Alley and Richmond Street will be added to the project.

The project will involve the rehabilitation or reconstruction of the pavement; installation of new water mains, as required; replacement of curbs, catch basins, driveway aprons, sidewalks and street lighting; and landscaping. Construction of the project will be coordinated with the planned housing development in the Charlotte Street area, which is expected to occur in 2003.

The original agreement with Passero for design of the project was authorized by the City Council on September 15, 1999. If the proposed amendatory agreement is approved, the total cost of the agreement with Passero will increase to \$125,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-377
(Int. No. 432)

Establishing \$75,000 As Maximum Compensation For An Amendatory Professional Services Agreement For The East End Development Improvement Project

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

Section 1. The sum of \$75,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Passero Associates, P.C. for engineering services for the East End Development Improvement Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Of said amount, \$18,750 shall be funded from the 1997-98 Cash Capital Allocation, \$30,000 shall be funded from the 1998-99 Cash Capital Allocation, \$23,250 shall be funded from the 1999-2000 Cash Capital Allocation, and \$3,000 shall be funded from the 2000-01 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-378
Re: Agreement - FRA Engineering,
Curb Replacement Program

Transmitted herewith for your approval is legislation authorizing an agreement with FRA Engineering, 245 Summit Point Road, for design of the 2002 Curb Replacement Program. The maximum cost of the agreement will be \$50,000, which will be financed from the 1999-00 Cash Capital allocation of the

Department of Environmental Services.

The 2002 program will involve, as needed, the replacement of curbs and catch basins; reconstruction or rehabilitation of the pavement; restoration of driveway aprons; replacement of sidewalks; and landscaping. The following streets will be included in the program:

Berwick Road
Elm Drive (Monticello Drive to cul-de-sac)
Elmcroft Road cul-de-sac
Lanark Crescent
Monticello Road
Quentin Road

Proposals for design of the improvements were requested and received from three organizations. FRA is recommended based on the qualifications of the personnel to be assigned to the project, its past performance, and its ability to provide the required services within the time period specified by the City.

Construction of the improvements is scheduled to begin in the summer and be completed in the fall.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-378
(Int. No. 433)

Establishing \$50,000 As Maximum Compensation For A Professional Services Agreement For The 2002 Curb Replacement Program

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

Section 1. The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and FRA Engineering, P.C. for engineering planning and design services for the 2002 Curb Replacement Program. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Said amount shall be funded from the 1999-2000 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Douglas
November 20, 2001

To the Council:
The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 393 - Establishing Maximum Compensation For A Professional Services Agreement With Cedric Alexander For A Behavioral Management Group

Int. No. 405 - Authorizing Agreements For Human Services Projects And Amending Ordinance No. 2001-323, As Amended

Int. No. 406 - Authorizing An Application And Agreement With Respect To Seat Belt Enforcement And Amending The 2001-02 Budget

Int. No. 407 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For The New Public Safety Building

Int. No. 421 - Authorizing An Amendatory Agreement With Respect To Development Of The Metropolitan Medical Response System And Amending The 2001-02 Budget

Int. No. 422 - Establishing Maximum Compensation For A Professional Services Agreement For Counseling And Stress Management Services

Int. No. 430 - Authorizing Agreements With Respect To Teen Pregnancy Prevention And Amending The 2001-02 Budget

Int. No. 434 - Authorizing Agreements For The Weed & Seed Program

Respectfully submitted,
Benjamin L. Douglas
Lois J. Giess
Gladys Santiago
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

Introductory No. 393 was introduced October 23, 2001, and appears in its original form with its transmittal letter on page 286 of the current Council Meeting.

Ordinance No. 2001-379
(Int. No. 393)

Establishing Maximum Compensation For A Professional Services Agreement With Cedric Alexander For A Behavioral Management Group

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-380
Re: Agreements - Human Services Programs

Transmitted herewith for your approval is legislation authorizing agreements with the following organizations for human services projects:

Organization Project	Amount
Ibero American Action League Youth Entrepreneurship and Cultural Performance	\$50,000
After-School Alliance Fund of the Rochester Area Community Foundation After-School Program Inventory	7,500

The cost of the agreements will be financed from the General Community Needs allocation of the 2001-02 Community Development Block Grant.

Both projects are classified as projects with matching funds and are therefore eligible for up to five years of funding. The Youth Entrepreneurship Project is in its second year of CDBG funding, while the After-School Program Inventory is in its first year of CDBG funding.

Project descriptions and budgets are attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-130

Ordinance No. 2001-380
(Int. No. 405, As Amended)

Authorizing Agreements For Human Services Projects And Amending Ordinance No. 2001-323

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for human services projects in amounts not to exceed the following:

Organization Project	Amount
Ibero American Action League Youth Entrepreneurship And Cultural Performance	\$50,000
After-School Alliance Fund of the Rochester Area Community Foundation After-School Program Inventory	7,500

Section 2. The agreements shall obligate the City to pay an amount not to exceed \$57,500, and of said amount, or so much thereof as may be necessary, \$50,000 is hereby appropriated from the General Community Needs Allocation of the 2001-02 Community Development Program, and \$7,500 is hereby appropriated from the General Community Needs Allocation of the 1999-2000 Community Development Program.

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

Section 4. Ordinance No. 2001-323, relating to the 2001 Youth Services Program, is hereby amended by reducing the total amount of the agreements authorized in Section 1 and the amount appropriated in Section 2 from \$315,000 to \$310,000.

Section 5. This ordinance shall take effect immediately.

Underlined material added.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Griswold, Mains, Norwood, Stevenson, Thompson - 8.

Nays - None - 0.

Councilwoman Santiago abstained vote because she is an employee of one of the affiliated agencies.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-381
Re: Seat Belt Enforcement

Transmitted herewith for your approval is legislation relating to seat belt enforcement. This legislation will...

1. Authorize an agreement with the Governor's Traffic Safety Committee for receipt and use of a grant of \$33,096; and
2. Amend the 2001-02 budget of the Police Department to reflect this grant.

The grant will be provided under the "Buckle Up! New York" program, which is designed to increase compliance with the State's vehicle occupant restraint law. An agreement for a similar grant, of \$50,000, was authorized by the Council on September 19, 2000.

The latter grant was used to finance the costs of overtime of officers assigned to traffic checkpoints. Following is a summary of the performance of the program during 2000-01.

Details	20
Citations	
Seatbelt	973
Child restraint	247
Other	1,206
Total	2,526
Traffic Arrests	43

The proposed grant will similarly be used to finance the costs of overtime of officers participating in the details. Approximately 840 additional hours of traffic enforcement will be provided.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-381
(Int. No. 406)

Authorizing An Application And Agreement With Respect To Seat Belt Enforcement And Amending The 2001-02 Budget

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the Governor's Traffic Safety Committee for funding for a Seat Belt Enforcement Program.

Section 2. Ordinance No. 2001-215, the 2001-02 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$33,100, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

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

Section 4. This ordinance shall take effect im-

mediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-382
Re: Agreement - Bergmann Associates,
Public Safety Building Project

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Bergmann Associates, 200 First Federal Plaza, for additional architectural and engineering services relating to the Public Safety Building Project. The maximum cost of this agreement will be \$55,000, which will be financed from the proceeds of a bond issue previously authorized by the City Council for the project.

The original agreement with Bergmann for design of the building was authorized by the Council on February 16, 1999. The following amendatory agreements were subsequently authorized:

<u>Date</u>	<u>Purpose</u>	<u>Amount</u>
January 18, 2000	Inclusion of Bureau of Information Systems and independent design critique	\$177,500
March 21, 2000	Construction phase services	200,000
April 17, 2001	Redesign of fifth and sixth floors	98,000
	Accommodation of 3-1-1 equipment	\$ 5,000
	Accommodation of additional Special Investigation Section personnel	9,000
	Computer Assisted Design Record	
	Drawings	28,000
	Contingencies	13,000
	Total	\$55,000

If the amendatory agreement is approved, the total cost of the agreement with Bergmann will increase to \$1,630,500.

Construction of the building is expected to be completed in the spring of 2002.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-382
(Int. No. 407)

Establishing Maximum Compensation For An Amendatory Professional Services Agreement For The New Public Safety Building

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

Section 1. The sum of \$55,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Bergmann Associates for additional architectural and engineer-

ing services for the new Public Safety Building. Said amount shall be funded from Bond Ordinance No. 2000-82.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-383
Re: Emergency Preparedness

Transmitted herewith for your approval is legislation relating to emergency preparedness. This legislation will:

1. Authorize an amendatory agreement with the U.S. Department of Health and Human Services for receipt and use of a supplemental grant of \$200,000; and
2. Increase the 2001-02 budget of the Fire Department to reflect the portion of the salary costs of the grant administrator that are not already included in the budget.

Under Article 2-B of the NYS Executive Law, municipalities are authorized to develop disaster preparedness plans. Both the City and Monroe County currently have such plans.

Under an agreement authorized by the City Council on October 17, 2000, the City received a grant of \$400,000 to supplement these plans by developing protocols and procedures for responding to public health emergencies resulting from a terrorist incident. The project - which also involves the Monroe County Office of Emergency Preparedness, Department of Health, Office of Emergency Medical Services and the Federal Bureau of Investigation - includes plans for:

1. Nuclear, biological or chemical agent identification
2. Extraction of victims from the site of the incident
3. Antidote administration
4. Decontamination
5. Medical triage
6. Delivery of on-site medical treatment
7. Preparation of victims for transport to pre-designated treatment centers
8. Management of "self-referred" victims who arrive at the centers
9. Examination and disposition of victims who do not survive.

The project also includes the identification and purchase of required pharmaceuticals and equipment, such as protective clothing and field tents, and the provision of training to emergency medical and other hospital personnel.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-383
(Int. No. 421)

Authorizing An Amendatory Agreement With Respect To Development Of The Metropolitan Medical Response System And Amending The 2001-02 Budget

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the United States Department of Health and Human Services for funding for the development of the Metropolitan Medical Response System.

Section 2. Ordinance No. 2001-215, the 2001-02 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Fire Department by the sum of \$22,400, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 3. The amendatory 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. 2001-384
Re: University of Rochester, Firefighter
Stress Counseling Services

Transmitted herewith for your approval is legislation authorizing an agreement with the Strong Memorial Hospital of the University of Rochester for the continued provision of stress counseling services to sworn personnel of the Fire Department. The maximum cost of this agreement will be \$120,000, which will be financed from the current and future budgets of the department.

Stress counseling is provided to any firefighter who requests such services, who is referred by his or her commanding officer, or who is involved in a critical incident. The counseling is provided the Department of Psychiatry of the hospital under an agreement authorized by the City Council on July 14, 1998.

During 2000-01, 117 personnel received counseling under the agreement. Fees for this counseling have totaled \$13,225.

Under the proposed agreement, counseling will continue to be provided at any of hospital's three offices or by a mobile crisis team. Its fees will continue to be as follows:

Counseling	\$125 per hour
Critical incident debriefing	200

The total cost of the proposed agreement is the same as the cost of the current agreement. The agreement will have an initial term of two years with provision for renewal for two additional one year periods.

The hospital provides similar services for sworn members of the Police Department and members of

the Emergency Communications Department.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-384
(Int. No. 422)

Establishing Maximum Compensation For A Professional Services Agreement For Counseling And Stress Management Services

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

Section 1. The sum of \$40,000, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and the University of Rochester, Department of Psychiatry, for counseling and stress management services for employees of the Rochester Fire Department, for a term of two years, with two one-year renewal periods. Said amounts shall be funded from the 2001-02 and subsequent Budgets of the Rochester Fire Department, subject to approval of said budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-385
Re: Teen Pregnancy Prevention Grant

Transmitted herewith for your approval is legislation relating to teen pregnancy prevention. This legislation will authorize agreements with:

1. U.S. Department of Health and Human Services for receipt of a grant of up to \$580,543;
2. Baden Street Settlement, for receipt and use of \$429,871 for the continued provision of administrative support to the Community Partnership Program for the Prevention of Teen Pregnancy; and
3. University of Rochester, for continued evaluation of the Teen Pregnancy Prevention Project, at a cost of \$114,514.

The project is designed to reduce the rate of teen pregnancy. It is administered by the Metrocouncil on Teen Potential, with administrative support from Baden Street Settlement, and is financed with grants from DHHS.

Phase I of the project began in 1995 and included the development of a Community Action Plan. Phase II began in 1997 and involves the implementation of this plan over a five-year period.

A summary of the plan was presented to the Council on June 25, 1998. The specific goals for Phase II are:

1. Strengthen the ability and capacity of the Metrocouncil to plan, administer and coordinate the prevention effort;
2. Transition the Metrocouncil from a coalition

of funders, planners and providers to a more broadly based community coalition with an emphasis on youth development;

3. Establish community goals relating to youth development and the prevention of teen pregnancy;
4. Engage residents in the development and prevention efforts;
5. Develop and test prevention plans with CONNECTS (Consortium of North East Community Teen Service), MATP (Members Against Teen Pregnancy) and In Control (Planned Parenthood);
6. Connect high risk youth to prevention efforts through increased early intervention and efforts to strengthen families;
7. Improve program evaluation capacity and enhance data collection and evaluation of five prevention programs;
8. Strengthen the Metrocouncil by rigorous evaluation and long-range planning;
9. Consult with other communities that received federal grants to identify effective prevention efforts; and
10. Develop financial strategies to replace the federal funding for the current program.

The proposed legislation will provide for financing of the final program year of phase II, which will begin October 1. Following are summaries of the budgets for administration and evaluation of the program.

	Baden Street Settlement		University of Rochester	
	Core	Enhanced	Core	Enhanced
Personnel	\$164,783	\$110,955	\$37,575	\$41,031
Employee Benefits	41,196	20,232	7,024	8,974
Equipment & Facilities	34,200	3,600	0	0
Materials & Supplies	3,000	800	500	500
Travel and Training	5,000	1,005	0	1,000
Other	36,350	8,750	0	17910
Total	\$284,529	\$145,342	\$45,099	\$69,415

The remaining amount of the grant, \$36,158, be allocated for administrative costs. Provision for \$22,517 of this amount is included in the 2001-02 budget of the Department of Parks, Recreation and Human Services. The proposed budget amendment will include the remaining amount.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-385
(Int. No. 430)

Authorizing Agreements With Respect To Teen

Pregnancy Prevention And Amending The 2001-02 Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Health and Human Services, Centers for Disease Control (CDC), for funding for the Community Coalition Partnership Program for the Prevention of Teen Pregnancy.

Section 2. The Mayor is hereby further authorized to enter into an agreement with Baden Street Settlement, Inc. to implement and administer the Community Coalition Partnership Program for the Prevention of Teen Pregnancy. The agreement shall obligate the City to pay an amount not to exceed \$429,871, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds to be received under the agreement authorized herein.

Section 3. The Mayor is hereby further authorized to enter into an agreement with the University of Rochester to evaluate the Community Coalition Partnership Program for the Prevention of Teen Pregnancy. The agreement shall obligate the City to pay an amount not to exceed \$114,514, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds to be received under the agreement authorized herein.

Section 4. Ordinance No. 2001-215, the 2001-02 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Parks, Recreation and Human Services by the sum of \$8,600, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

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

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-386
Re: Agreement - Justice Department,
Weed and Seed Program

Transmitted herewith for your approval is legislation authorizing an agreement with the U.S. Department of Justice for the receipt and use of a grant of \$350,000 provided under the Weed and Seed Program.

The program is designed to support both anti-crime efforts (weed) and projects that prevent crime by improving neighborhood conditions (seed). In Rochester, the program was initiated in the northeast sector in 1996 and expanded to the southwest sector in 2001.

Receipt of the most recent grant was authorized by the City Council on June 28, 2001. The proposed grant will finance activities conducted from October 1, 2001 through September 30, 2002.

A brief description of planned activities is attached.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-131

Ordinance No. 2001-386
(Int. No. 434)

Authorizing Agreements For The Weed & Seed Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Justice, Office of Justice Programs, for funding under the Weed & Seed Grant Program.

Section 2. The Mayor is hereby further authorized to enter into such agreements as may be necessary to implement the Weed & Seed Grant Program.

Section 3. The agreements shall obligate the City to pay amounts not to exceed \$350,000 as set forth in the budget for the Weed & Seed Grant Program, and said amount, or so much thereof as may be necessary, is hereby appropriated from Weed & Seed Grant Program Funds.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Norwood
November 20, 2001

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 408 - Authorizing The Sale Of Real Estate

Int. No. 409 - Authorizing Sale Of Real Estate And Granting Easements For The Western Expressway Improvement Project

Int. No. 410 - Granting An Easement For Fiber Optic Cable For The Danforth Community Center

Int. No. 411 - Accepting Donations Of Real Estate

Int. No. 412 - Accepting The Donations Of 547-549 Brown Street And 339 Murray Street

Int. No. 413 - Authorizing A Lease Agreement For Materials Storage

Int. No. 414 - Appropriating Funds And Authorizing Agreements With Community Housing Development Organizations

Int. No. 420 - Resolution Approving Appointment To The Rochester Preservation Board

Int. No. 426 - Establishing Maximum Compensation For A Professional Services Agreement For Implementation Of The Arts & Culture Campaign Of Rochester 2010: The Renaissance Plan, As Amended

Int. No. 428 - Determinations And Findings Relating To The Acquisition Of 532 Brown Street As Part Of The Brown Street Development Project

Int. No. 429 - Determinations And Findings Relating To The Acquisition Of 876 Brown Street

Int. No. 435 - Authorizing An Amendatory Agreement For The Continued Provision Of Mortgage Services - \$75,000

Int. No. 340 - Approving The Acquisition Of 532 Brown Street For The Brown Street Project By Negotiation Or Condemnation

Int. No. 372 - Approving The Acquisition Of 876 Brown Street For The Brown Street Project By Negotiation Or Condemnation

Int. No. 384 - Changing The Zoning Classification Of 50-52 Bennington Drive From C-2 Community Commercial To M Manufacturing Industrial

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 424 - Approval Of The Sale Of Land In The 14621 Industrial Park To Excel Realty LLC

The following entitled legislation is being held in committee:

Int. No. 415 - Changing The Zoning Classification Of 45, 49 And 57 Bay Street From R-3 Low Medium Residential To C-2 Community Commercial

Respectfully submitted,
Wade S. Norwood
Benjamin L. Douglas
Nancy K. Griswold
Lois J. Giess
Gladys Santiago
HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance Nos. 2001-387,
2001-388, 2001-389, 2001-390,
2001-391 and 2001-392

Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the following real estate transactions:

1. Sale of nine properties,
2. Granting of two temporary and one permanent easement,
3. Acceptance of the donation of properties,
4. Transfer from Monroe County of two properties; and
5. Lease of one property,

Sales

The first seven properties to be sold were included in the public auction of September 24. The purchasers will be required to complete rehabilitation of the properties and obtain Certificates of Occupancy within nine months of the conditional closing.

The next property, 15 Rockland Park, will be sold to its former owner. The purchase price includes all delinquent taxes, interest and penalties.

The last property to be sold, part of 19 Grape Street, is required by NYS Department of Transportation for the Western Expressway Improvement Project. The project will involve the rehabilitation or replacement of 19 bridges from the Erie Canal to the Genesee River; reconstruction of the pavement on Child, Wilder and Saxton Streets; widening of the median and replacement of the present metal guard rail with a concrete barrier; widening of road shoulders; and installation of noise retardant walls.

Easements

The two temporary easements are also required for the improvement project. They each will have a term of two years, beginning in July, 2002.

The permanent easement, at 200 West Avenue, is required by Frontier Telephone of Rochester, Inc. for extension of its fiber optic network.

Donations

Three of the properties to be donated - 34 Loomis Street, 22 Bernard Street and 9 Maria Street - are located in the Project Turnaround Challenged Streets area. The City Council authorized the acquisition of eight properties in this area on August 21.

Each of the three properties, along with 25 Vose Street, contains vacant single-family structures that either have been damaged by fire or are otherwise in deteriorated condition. Following acquisition, the structures will be demolished, at a total estimated cost of \$27,500.

Est. Demolition Cost

34 Loomis Street	\$ 7,500
22 Bernard Street	7,000
9 Maria Street	6,500
25 Vose Street	6,500
Total	<u>\$27,500</u>

The resultant vacant lots will all be unbuildable. 34 Loomis Street will be combined with a vacant City lot at 73 Maria Street to create a buildable site; the other three lots will either be reserved for future combination with adjacent properties and development or sold to the owners of adjacent properties if assembly of a buildable site is unlikely.

The vacant lots at 71 Locust Street and 408-410 Melville Street will be reserved for future residential development.

As a condition of donation, the following taxes and charges will be canceled.

34 Loomis Street	\$2,198.00
22 Bernard Street	.00
9 Maria Street	860.00
25 Vose Street	1,762.27
71 Locust Street	392.00
408-410 Melville Street	434.00
Total	\$5,646.27

Transfers

On May 11, 1993, the Council authorized an agreement with the County for the transfer of certain properties acquired by the County through tax foreclosure. The City subsequently disposes of these properties through its normal procedures.

The properties to be transferred under the proposed legislation were acquired by the County in 1982 and 1985, respectively, prior to the effective date of the aforementioned agreement. Consistent with the agreement, however, each of the properties, which are both vacant lots, will be transferred to the City for \$1.00.

The first property, 339 Murray Street, contains 3,680 square feet. It will be reserved for future residential development.

The second property, 547-549 Brown Street, contains 1,870 square feet. It will be combined with two City lots at 553 Brown Street and 17 Terry Street and the combined lot will be sold to Providence Housing Development Fund Corp., which will construct four rental units on the site.

Lease

Storage space for the bomb squad of the Police Department presently is located at the Public Safety Training Facility on Scottsville Road. Because of the recent renovations and addition to the facility, this space is inadequate.

Under the proposed agreement, the bomb squad will lease approximately 500 square feet of land and two explosive storage magazines at an alternative site that has been approved for explosive storage. The agreement will have an initial term of five years with provision for renewal for an additional five-year period.

The annual cost of the lease will be \$2,400, which was established by an independent appraiser, Kevin Bruckner. This cost will be financed from the current and future budgets of the department.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-132

Ordinance No. 2001-387
(Int. No. 408)

Authorizing The Sale Of Real Estate

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

Section 1. The Council hereby approves the sale of the following parcels of real estate by regular auction:

Address	Legal Use	Price
S.B.L.#	Purchaser	
147 Cottage St.	1 Family	\$ 600

135.28-2-23	Shariffia Rozier	
76 Herald St.	1 Family	5,500
091.81-3-44	Misty Garrow	
152 Pennsylvania Av.	2 Family	6,100
106.59-2-72	Daniel Derider	
1146 Plymouth Av. S.	1 Family	5,000
135.28-1-21	Latoya Jones	
59 Ringle St.	2 Family	14,000
120.56-3-52	Cherrymay Tamargo	
15 St. Clair St.	3 Family	5,500
120.51-2-39	Nelson Hioe	
17 Seventh St.	1 Family	4,600
106.60-2-50	Milio & Marie Misere	

Section 2. The Council hereby further approves the sale of the following parcel of improved property to former owner:

Address: 15 Rockland Pk.
S.B.L.#: 120.51-4-63
Price: \$4,816.87
Purchaser: Henry & Beverly Isaacs

Section 3. 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 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-388
(Int. No. 409)

Authorizing Sale Of Real Estate And Granting Easements For The Western Expressway Improvement Project

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

Section 1. The Council hereby approves the granting of temporary easements over portions of 225 and 235 Campbell Street to the New York State Department of Transportation for a period of two years for the sum of \$100 each for construction activities as a part of the Western Expressway Improvement Project.

Section 2. The Council hereby approves the sale of a portion of 19 Grape Street, SBL # 120.270-1-33, to the New York State Department of Transportation for the sum of \$1,100 as a part of the Western Expressway Improvement Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-389
(Int. No. 410)

Granting An Easement For Fiber Optic Cable For The Danforth Community Center

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

Section 1. The Council hereby approves the granting of a permanent easement, without charge, to Frontier Telephone of Rochester, Inc. over a portion of

200 West Avenue for the installation and maintenance of underground conduit for fiber optic cable for the Danforth Community Center.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-390
(Int. No. 411)

Accepting Donations Of Real Estate

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

Section 1. The Council hereby approves the acceptance of the donation of 22 Bernard Street, SBL #106.240-0002-067, from the current owner, Estate of Leroy Thomas.

Section 2. The Council hereby further approves the acceptance of the donation of 71 Locust Street, SBL #105.420-0001-020, from the current owner, Suzanne Schnittman.

Section 3. The Council hereby further approves the acceptance of the donation of 34 Loomis Street, SBL #106.230-0003-061, from the current owners, Willis Norman, Jr. and Dorothy Norman.

Section 4. The Council hereby further approves the acceptance of the donation of 9 Maria Street, SBL #106.320-0004-048, from the current owner, Estate of Leroy Thomas.

Section 5. The Council hereby further approves the acceptance of the donation of 408-410 Melville Street, SBL #107.550-0002-056, from the current owners, Oleg Basovsky and Yefim Basovsky.

Section 6. The Council hereby further approves the acceptance of the donation of 25 Vose Street, SBL #106.400-0004-007, from the current owner, Estate of Leroy Thomas.

Section 7. Upon acquisition by the City, City taxes and other charges against said parcels shall be canceled. 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 still owns the parcels, shall also be canceled. Said parcels shall be accepted free and clear of any other outstanding liens or encumbrances.

Section 8. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-391
(Int. No. 412)

Accepting The Donations Of 547-549 Brown Street And 339 Murray Street

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

Section 1. The Council hereby accepts the donation of 547-549 Brown Street, SBL #120.350-0003-058, from the current owner, County of Monroe.

Section 2. The Council hereby further accepts the donation of 339 Murray Street, SBL #105.570-0003-023, from the current owner, County of Monroe.

Section 3. Said parcels shall be accepted free and clear of any outstanding liens or encumbrances.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-392
(Int. No. 413)

Authorizing A Lease Agreement For Materials Storage

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 Bruce Howlett for the storage of materials by the Police Department for a term of five years, with a five-year renewal option.

Section 2. The lease agreement shall obligate the City to pay rent in the amount of \$200 per month, which shall be funded from the annual budgets of the Rochester Police Department.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-393
Re: Community Housing Development Organizations

Transmitted herewith for your approval is legislation relating to Community Housing Development Organizations. This legislation will:

1. Authorize agreements with organizations that have been designated as CHDOs for the development of affordable housing; and
2. Appropriate \$588,500 from the 2001 HOME program to finance the costs of these agreements.

Under the federal regulations for the HOME program, at least 15% of a municipality's annual allocation must be used for development of affordable housing by non-profit agencies that are designated as CHDOs. Since the inception of the HOME program in 1992, the City Council has designated 16 organizations as CHDOs, 11 of which are currently active.

To date, a total of \$4,424,852 has been appropriated by the Council for CHDO projects involving 150 housing units. A summary of the status of these appropriations and projects is attached.

The proposed appropriation will be used to assist income-eligible persons to purchase renovated vacant houses through the HOME Rochester program. It is estimated that approximately 30 buyers will be

assisted.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-133

Ordinance No. 2001-393
(Int. No. 414)

Appropriating Funds And Authorizing Agreements With Community Housing Development Organizations

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

Section 1. There is hereby appropriated from 2001 HOME Program Funds the sum of \$588,500, or so much thereof as may be necessary, to fund the development of affordable housing under the HOME Program.

Section 2. The Mayor is hereby authorized to enter into agreements with designated Community Housing Development Organizations (CHDO's) for the development of affordable housing under the HOME Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Resolution No. 2001-18
Re: Appointment - Rochester
Preservation Board

Transmitted herewith for your approval is legislation confirming the appointment of Paul McAndrew, 77 Whiteford Road, to the Rochester Preservation Board.

Mr. McAndrew, who was a member of the Board from January, 1995 through December, 2000, will fill a vacant position. His term will extend through November 30, 2004.

A copy of his resume is on file in the Office of the City Clerk.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Resolution No. 2001-18
(Int. No. 420)

Resolution Approving Appointment To The Rochester Preservation Board

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

Section 1. The Council hereby approves the appointment of Paul McAndrew, 77 Whiteford Road, to the Rochester Preservation Board for a term which shall expire on November 30, 2004.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-394
Re: Agreement - Arts & Cultural Council,
R2010 Campaign #11

Transmitted herewith for your approval is legislation authorizing an agreement with the Arts and Cultural Council for Greater Rochester, 277 N. Goodman Street, for assistance in the achievement of the goals of campaign #11 of *Rochester 2010: The Renaissance*. The maximum cost of this agreement will be \$30,000, which will be financed from the 2001-02 budget of the Department of Parks, Recreation and Human Services.

Campaign #11, Arts & Culture, provides for the City "...to support and promote arts and cultural events, activities and institutions in a way that establishes our city as a 'world-class' cultural center and contributes to our community's life, vitality and growth". The specific goals of the campaign are as follows:

1. Utilize the city's arts and cultural heritage and current assets as an economic development tool to create growth opportunities and a sense of spirit and pride;
2. Develop new and/or expanded venues for arts and cultural facilities, entertainment and activities throughout our city, including residential neighborhoods;
3. Promote the community as the center for arts and cultural activity in the region;
4. Encourage citizens to actively support and participate in diverse arts and cultural activities in a way that encourages more interaction and builds and strengthens the community; and
5. Encourage arts and cultural institutions to co-operate with each other in the development and enhancement of the city to become the region's arts and cultural center.

Among the strategies for achieving the first goal is the incorporation of arts and culture into all city projects through the development of a public arts policy. Under the proposed agreement, to assist in such development, the Arts Council will survey the policies of other comparable cities.

Among the strategies for achieving the third goal is the development of a web site containing arts and cultural information and an events calendar. Under the proposed agreement, the Arts Council will expand its existing web site, www.artsrochester.org, to include additional information in the following categories:

Events calendar
Directories
Arts education
Artist toolbox
Arts Council
Get involved

Respectfully submitted,
William A. Johnson, Jr.

Mayor

Ordinance No. 2001-394
(Int. No. 426, As Amended)

**Establishing Maximum Compensation For
A Professional Services Agreement For Imple-
mentation Of The Arts & Culture Campaign Of
Rochester 2010: The Renaissance Plan**

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

Section 1. The sum of \$30,000, or so much thereof
as may be necessary, is hereby established as the
compensation to be paid for a professional services
agreement between the City and the Arts and Cultural
Council for Greater Rochester for implementation of
Campaign 11, Arts & Culture of Rochester 2010: The
Renaissance Plan. Said amount [shall be funded from
the 2001-02 Budget of the Department of Parks, Rec-
reation and Human Services] is hereby appropriated
from the Improving the Housing Stock and General
Property Conditions Allocation of the 2001-02 Com-
munity Development Program.

Section 2. This ordinance shall take effect im-
mediately.

Bracketed material deleted; underlined material
added.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-395 and
Ordinance No. 2001-396
Re: Determinations and Findings -
532 and 876 Brown Street

Transmitted herewith for your approval is legislation
approving the determinations and findings relating to
the acquisition, by negotiation or condemnation, of
532 and 876 Brown Street.

A public hearing concerning the first property was
held on September 23. A representative of the Depart-
ment of Community Development, who supported the
acquisition, was the only speaker.

A public hearing concerning the second property was
held on October 23. A representative of DCD sup-
ported the acquisition and the owner and tenant of the
property opposed it.

Based on the comments presented at the hearings, the
following determinations and findings are proposed:

532 Brown Street

1. Project description - that the project will include
the acquisition of the property, the demolition
of the structure thereon, and the construction of
residential units in conjunction with the Brown
Street Neighborhood Revitalization Project.
2. Project purpose - that the acquisition and demoli-
tion will reduce blighting conditions within the
neighborhood and that the construction of new
housing will expand the City's tax base, increase
the value of existing properties, and provide
additional housing opportunities.
3. Project effect - that the project will have no

significant adverse environmental effects and
indeed will assist in the revitalization of the
neighborhood.

876 Brown Street

1. Project Description - that the project will include
the acquisition of the property, relocation of the
occupant, and demolition of the structure in
conjunction with the demolition of the adjacent
structure at 816-822 Brown Street.
2. Project purpose - that the demolition of 816-822
Brown Street will eliminate an unsafe condition
and that the acquisition of 876 Brown Street is
required for this demolition to occur.
3. Project effect - that the project will have no
significant adverse environmental effects and
indeed will eliminate an unsafe condition.

If these determinations and findings are approved, the
legislation authorizing the acquisitions (Introductory
340 and 372, respectively) may be considered for
approval.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-395
(Int. No. 428)

**Determinations And Findings Relating To The
Acquisition Of 532 Brown Street As Part Of The
Brown Street Development Project**

WHEREAS, the City of Rochester proposes to
acquire one (1) parcel as part of the Brown Street
Development Project, and

WHEREAS, the Council of the City of Rochester
held a public hearing on September 25, 2001 pursuant
to Article 2 of the Eminent Domain Procedure Law to
consider the acquisition of this parcel.

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

Section 1. The Council hereby makes the following
determination and findings concerning the acquisition
of this parcel as part of the Brown Street Development
Project:

- a. Project Location: The City proposes the public
acquisition of the following parcel:

<u>Address</u>	<u>SBL#</u>
532 Brown Street	120.35-2-22

- b. Public purpose and general effect:

1. This parcel has been designated for acquisi-
tion to further the objectives of the Brown
Street Development Project which calls for
the development of new residential units. The
City has already acquired other properties
through various tax foreclosure actions and
donations. In order to continue implementa-
tion of the plan, the City proposes to acquire
this privately owned parcel to complete the
development sites on Brown Street. The new
units will result in an increase of residential
units within the Brown Street neighborhood.
The units will also enable the expansion of

the City's tax base and will enhance the value of the nearby private properties by eliminating blighted property.

2. The general effects of the acquisition of this parcel on the environment and the residents of the immediate area will be beneficial. The project will have no significant adverse environmental effects. The acquisition will lead to creating more residential units within the Brown Street Neighborhood, and the elimination of a blighting effect of the site.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-396
(Int. No. 429)

Determinations And Findings Relating To The Acquisition Of 876 Brown Street

WHEREAS, the City of Rochester proposes to acquire the parcel at 876 Brown Street, and

WHEREAS, the Council of the City of Rochester held a public hearing on October 23, 2001 pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of this parcel.

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

Section 1. The Council hereby makes the following determination and findings concerning the acquisition of 876 Brown Street in order to allow for the demolition of the City-owned building located on 816-822 Brown Street.

Section 2. Public purpose and general effect:

- a. 876 Brown Street has been designated for acquisition to allow for the demolition of the City owned building located on 816-822 Brown Street. The City acquired 816-822 Brown Street through tax foreclosure and the building located thereon is in dangerous and dilapidated condition. The building located on 876 Brown Street was built so that it is integrally connected to the City owned building on 816-822 Brown Street. In order to improve the blighted property at 816-822 Brown Street the dangerous and dilapidated structure must be demolished. Since the two (2) buildings are integrally connected, the City must acquire 876 Brown Street so that both buildings can be demolished at the same time.
- b. The general effect of the acquisition of 876 Brown Street will be that the City owned building located on 816-822 Brown Street as well as the building on 876 Brown Street will be demolished at the same time. The result will be beneficial to the neighborhood. The demolition will improve the neighborhood by the elimination of a blighted property. It will enhance the safety of the residents, especially children, by the removal of a dangerous structure. It will also open both 876 Brown Street and 816-822 Brown Street for development which will result in the expansion of the City's tax base. There will be no significant adverse environmental effects.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-397
Re: Agreement - Housing Council,
Mortgage Default Resolution

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Housing Council in the Monroe County Area, Inc., 183 E. Main Street, for expansion of the Mortgage Default Resolution program. The maximum cost of the agreement will be \$75,000, which will be financed from the Housing Stock and General Property allocation of the 2001-02 Community Development Block Grant.

The Housing Council has provided mortgage default resolution services since 1975 and has administered the mortgage relief grants since 1990. The current agreement for provision of these services was authorized by the City Council on June 19.

Last year, the Housing Council conducted analyzed residential mortgage foreclosure trends during the past decade. This analysis indicated that foreclosures had increased by 177%, from 331 in 1990 to 1,000 in 1999.

The analysis also indicated counseling has a significant effect in preventing foreclosure. In 1999, 79% of home owners who were in default but had received counseling had retained ownership of their properties for at least two years.

The proposed amendatory agreement reflects the trend in foreclosures and the effectiveness of the counseling program. It will permit the addition of another counselor and the provision of up to \$16,000 in additional relief grants.

The counseling and resolution process includes household budget and income analyses and negotiation with mortgage lenders and other parties such as HUD/FHA to arrive at appropriate resolutions. Possible resolutions include refinancing, negotiated repayments, and use of grants for eligible clients.

The maximum grant is \$2,500. The grant is secured with a five-year lien against the property. If the property is sold or rented during this period, repayment of the grant is required.

The grants are intended "...to prevent mortgage foreclosure in cases of emergency when a home owner stands a reasonable chance or resuming monthly payments". To be eligible for a grant, a person must:

1. Own a one- or two-family house and reside in it.
2. Have a family income within the guidelines specified for the Section 8 program.
3. Be confronted with financial difficulties and a potential mortgage default because of circumstances beyond the control of the family, such as unemployment or unforeseen medical expenses.
4. Be able to reasonably demonstrate that these financial difficulties are likely to be temporary.
5. Participate in the mortgage default counseling

and resolution process provided by the Housing Council.

If the amendatory agreement is approved, the total cost of the agreement with the Housing Council will increase to \$300,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-397
(Int. No. 435)

**Authorizing An Amendatory Agreement For
The Continued Provision Of Mortgage Services
- \$75,000**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Housing Council in the Monroe County Area, Inc. for the continued provision of mortgage default resolution services and counseling and continued administration of the Mortgage Default Resolution Program.

Section 2. The amendatory agreement shall obligate the City of Rochester to pay an amount not to exceed \$75,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions Allocation of the 2001-02 Community Development Program.

Section 3. The amendatory 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.

Introductory No. 340 was introduced September 25, 2001, and appears in its original form with its transmittal letter on page 278 of the current Council Proceeding.

Attachment No. AA-134

Ordinance No. 2001-398
(Int. No. 340)

**Approving The Acquisition Of 532 Brown Street
For The Brown Street Project By Negotiation Or
Condemnation**

Passed unanimously.

Introductory No. 372 was introduced October 23, 2001, and appears in its original form with its transmittal letter on page 297 of the current Council Proceeding.

Attachment No. AA-135

Ordinance No. 2001-399
(Int. No. 372)

**Approving The Acquisition Of 876 Brown Street
For The Brown Street Project By Negotiation Or
Condemnation**

Passed unanimously.

Introductory No. 384 was introduced October 23, 2001, and appears in its original form with its transmittal letter on page 302 of the current Council Proceeding.

Attachment No. AA-136

Ordinance No. 2001-400
(Int. No. 384)

**Changing The Zoning Classification Of 50-52
Bennington Drive From C-2 Community Com-
mercial To M Manufacturing Industrial**

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-401
Re: Real Estate Transactions -
Excel Realty

Transmitted herewith is legislation relating to real estate transactions involving the Norton Street Urban Renewal District (14621 Industrial Park). This legislation will:

1. Approve the sale of 1.324 acres of land to Excel Realty LLC for \$26,480;
2. Authorize a mortgage for this amount; and
3. Approve an option agreement for purchase by Excel of an additional 1.324 acres for \$24,320.

The sale and option prices were established by Kevin Bruckner.

Excel Realty (principals: Richard LeFrois and Lewis Norry) is a regional developer of industrial and commercial properties. Under a development agreement with a manufacturing company, Excel will construct a 15,000 square foot facility and lease it to the company for seven years.

The estimated cost of the project is \$646,480, which will be financed through a bank loan, equity investment and the City's mortgage.

Estimated Costs

Land acquisition	\$ 26,480
Closing costs	20,000
Site improvements	100,000
Building construction	480,000
Professional services	20,000
Total	\$646,480

Proposed Financing

City mortgage	\$ 26,480
Bank construction loan	520,000
Equity	100,000
Total	\$646,480

The City mortgage will have a term of 15 years and an interest rate equivalent to the City's borrowing rate.

Construction is expected to begin in December and be completed by May, 2002. The tenant company will invest approximately \$1.7 million in equipment for the building.

The project is expected to result in the creation of 20

jobs. The tenant company will provide preference to city residents in hiring.

The building will be expandable to 30,000 square feet in the future. The purchase option will permit Excel to acquire the land necessary for expansion.

The City will indemnify Excel for the cost of any required environmental remediation.

The proposed development is the second within 14621 Industrial Park, which contains 8.25 developable acres. If the proposed project is approved, five acres will be available for future development.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the proposed real estate transactions will not result in any significant effects. Negative declarations have been issued.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-139

Ordinance No. 2001-401
(Int. No. 424)

Approval Of The Sale Of Land In The 14621 Industrial Park To Excel Realty LLC

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

Section 1. The Council hereby approves the sale of 80 Excel Drive in the 14621 Industrial Park of the Norton Street Urban Renewal Project to Excel Realty LLC, for the sum of \$26,480. The purchase price may be paid by a promissory note to the City secured by a mortgage, with a term of fifteen (15) years, with interest based on the City's cost of borrowing as established by the Director of Finance.

Section 2. The Council hereby further approves a purchase option agreement with Excel Realty LLC for 60 Excel Drive in the 14621 Industrial Park of the Norton Street Urban Renewal Project, whereby Excel Realty LLC may purchase said parcel for the sum of \$24,320 within a term of three years. There shall be no charge for the option. The purchase price may be paid by a promissory note to the City secured by a mortgage, with a term of fifteen (15) years, with interest based on the City's cost of borrowing as established by the Director of Finance.

Section 3. The Council further authorizes environmental indemnification whereby the City will indemnify Excel Realty LLC for the costs of any required environmental remediation of said parcels.

Section 4. The Mayor is hereby authorized to enter into such agreements as may be necessary to effectuate this project. The agreements shall contain such additional 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:

Introductory No. 415
Re: Zoning Map Amendment -
45, 49 and 57 Bay Street

Transmitted herewith for your approval is legislation amending the Zoning Map by changing the classification of 45, 49 and 57 Bay Street from R-3 Low Medium Residential to C-2 Community Commercial.

The properties abut R-3 uses to the north and south and C-2 uses to the east and west. Following are the current uses of the properties:

Bay Street Address	Use
45	Seven-unit apartment building
49	Auto repair garage
57	Accessory vehicle storage

The rezoning of the properties was proposed by Frank Adams, the owner of 49 and 57 Bay Street and operator of the auto repair service, to legalize the current uses of these properties. The owner of 45 Bay Street, Kenneth Schimpf, consented to the proposal.

The repair garage was established in 1938. Use of the adjacent property for vehicle storage began in 1994, after demolition of a residential structure.

If the rezoning is approved, 49 and 57 Bay Street will be combined. A variance for parking and site plan approval will be required.

The Planning Commission held an informational hearing on the proposed rezoning on October 9; Mr. Adams and his attorney were the only speakers. The Commission recommended by a vote of 5-0 that the rezoning be approved.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the proposed rezoning will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Introductory No. 415

CHANGING THE ZONING CLASSIFICATION OF 45, 49 AND 57 BAY STREET FROM R-3 LOW MEDIUM RESIDENTIAL TO C-2 COMMUNITY COMMERCIAL

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by changing the zoning classification of the following described property, constituting 45, 49 and 57 Bay Street, from R-3 Low Medium Residential to C-2 Community Commercial:

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 the point of intersection of the centerline of Sigel Street with its intersection

of the centerline of Bay Street;

Thence (1) Southerly along the centerline of Sigel Street a distance of 165 feet more or less to the westerly extension of land owned by Kenneth J. Schimpf as per a deed recorded in the Monroe County Clerk's Office on April 27, 1998 and filed in Liber 8999 of deeds at page 238;

Thence (2) Easterly along said extension and the southerly line of said Schimpf's land and also along the southerly line of lands owned now or formerly by Frank Adams Jr. as per a deed recorded in the Monroe County Clerk's Office on December 8, 1967 and filed in Liber 3867 of deeds at page 377 a distance of 150.61 feet more or less to a point on the westerly line of lands owned by Frank Adams Jr. as per a deed recorded in the Monroe County Clerk's Office on April 19, 1994 and filed in Liber 8465 of deeds at page 441;

Thence (3) Southerly along the westerly line of said Adams' land a distance of 174.5 feet to a point;

Thence (4) Southeasterly along the southerly line of said Adams' land a distance of 59 feet to a point;

Thence (5) Northeasterly along the easterly line of said Adams' land being also the dividing line between lands formerly owned by Charles Kephart and lands formerly owned by Christiana Hamp as shown on a map of W.G. Gray filed in Liber 10 of maps at page 17 a distance of 177.2 feet to a point;

Thence (6) Northwesternly along said aforementioned dividing line a distance of 23 feet to a point;

Thence (7) Northerly along said dividing line and its northerly extension a distance of 143 feet more or less to the centerline of Bay Street;

Thence (8) Westerly along the centerline of Bay Street to the point or place of beginning.

Section 2. This ordinance shall take effect immediately.

Held in committee.

By Councilmember Mains
November 20, 2001

To the Council:

The Jobs, Finance, and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 416 - Cancellation Of Taxes And Charges

Int. No. 417 - Establishing Maximum Compensation For Professional Services Agreements For Litigation Services

Int. No. 418 - Authorizing Sale Of Real Estate For The Zweigle's, Inc. Development Project

Int. No. 419 - Amending The 2001-02 Budget

Int. No. 423 - Establishing Maximum Compensation For A Professional Services Agreement For Child Care Referral Services

Int. No. 425 - Amending The 2001-02 Budget Of The Rochester Public Library

Int. No. 427 - Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement For Technical Assistance In The Development Of Civil Service Examinations

Respectfully submitted,

Brian F. Curran
Nancy K. Griswold
Lois J. Giess
Gladys Santiago
JOBS, FINANCE, AND GOVERNANCE COMMITTEE

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-402
Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$23,736.41.

Of the total, \$18,500 (77.9%) relates to code violation charges for two properties. The charges are attributable to the former owners of the properties.

The remaining amount, \$5,236.41 (22.1%), relates to erroneous taxes on a property owned since 1999 by Upper Room Family Worship Center, for which an exemption was omitted.

If the cancellations are approved, total cancellations during 2001-02 will be \$203,569.95.

	<u>Accounts</u>	<u>Amounts</u>
City Council	19	\$167,655.27
Administrative	115	35,914.68
Total	134	\$203,569.95

These cancellations represent .10% of the taxes receivable as of July 1, 2001.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-402
(Int. No. 416)

Cancellation Of Taxes And Charges

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

Section 1. The City Treasurer is authorized to cancel the following City taxes and charges.

- a. Code violations are attributed to the former owner or have since been satisfied.

<u>S.B.L.#</u>	<u>Class</u>	<u>Tax Year</u>	<u>Amount Canceled</u>
<u>Address</u>			
122.230-0002-036	H	2002	\$14,000.00
68 Coventry Ave.			
135.230-0002-096	H	2002	4,500.00
950 Genesee Park Blvd.			

- b. Church property has been used as such since its purchase in 1999 by qualified religious corporation. Property is legally tax exempt.

<u>S.B.L.#</u>	<u>Class</u>	<u>Tax Year</u>	<u>Amount Canceled</u>
<u>Address</u>			
091.790-0004-051	NH	2001	—
5,236.41			
831-843 Joseph Ave.			
	Total		\$23,736.41

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-403
Re: Agreements - Litigation Services

Transmitted herewith for your approval is legislation authorizing agreements or amendatory agreements for the provision of services and assistance relating to certain litigation involving the City. The maximum total cost of the agreements will be \$80,000, which will be financed from the 2001-02 budgets for Undistributed Expense and the Law Department.

The Law Department often requires various professional services and assistance in conjunction with claims and litigation involving the City. For this reason, the City Council periodically authorizes agreements with private investigators, medical experts or others.

The most recent agreements for investigative services were authorized by the Council on January 18, 2000, at a maximum cost of \$20,000. The most recent agreements for engineering and technical services were authorized by the Council on May 16, 2000, also at a maximum cost of \$20,000.

The proposed agreements or amendatory agreements will provide for additional assistance for a claim that is currently being litigated.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-403
(Int. No. 417)

Establishing Maximum Compensation For

Professional Services Agreements For Litigation Services

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

Section 1. The sum of \$60,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for amendatory professional services agreements for engineering and technical consulting services as required by the Law Department in conjunction with claims made by or against the City. Said amount shall be funded from the 2001-02 Budget for Undistributed Expense.

Section 2. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for amendatory professional services agreements for investigative services as required by the Law Department in conjunction with claims made by or against the City. Said amount shall be funded from the 2001-02 Budget of the Law Department.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-404
Re: Real Estate Sale - Zweigle's, Inc.

Transmitted herewith is legislation approving the sale of three properties to Zweigle's, Inc. for \$5,000. The sale price was established by Robert Pogel. Zweigle's, which was established in 1880, is a manufacturer of sausage and meat products. It employs 50 people at its facilities at 651 N. Plymouth Avenue.

The company has a two-phase expansion plan that requires the acquisition of five adjacent properties. Zweigle's has already acquired two of the properties from private owners; the proposed legislation will authorize its acquisition of the three other properties from the City.

Phase I of the development plan provides for relocation of the existing parking lot to increase the area available for maneuvering and storage of tractor trailers. At present, because of space constraints, it is necessary for trucks to back up to the loading docks from the street, which obstructs the sidewalk and creates an unsafe condition for children walking to John Williams School No. 5, which is located at 555 N. Plymouth Avenue.

Construction of the new parking lot is expected to be completed during the spring or summer of 2002. It will result in the retention of the 50 existing jobs.

Phase II of the development plan provides for the construction of a 10,000 - 12,000 square foot addition to Zweigle's facility. The expansion will facilitate compliance with health regulations by separating the area in which raw materials are received from the area in which finished products are shipped. The expansion is expected to result in the creation of 10-20 additional jobs.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the proposed sale will not result in any significant effects. A

negative declaration has been issued.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-137

Ordinance No. 2001-404
(Int. No. 418)

**Authorizing Sale Of Real Estate For The
Zweigle's, Inc. Development Project**

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

Section 1. The Council hereby approves the sale of 625 North Plymouth Avenue, SBL # 105.680-3-18, 348 Smith Street, SBL # 105.680-3-19 and 354 Smith Street, SBL # 105.680-3-21 to Zweigle's, Inc. for the sum of \$5,000.

Section 2. City taxes and other City charges, except water charges, against said properties are hereby cancelled up to the date of closing for the reason that the City has agreed to convey said properties free of City tax liens and other charges.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-405
Re: 2001-02 Budget Amendment

Transmitted herewith for your approval is legislation amending the 2001-02 budget by reducing estimated revenues and approved appropriations by \$4,239,100.

As you are aware, when the 2001-02 budget was approved by the City Council on May 15, the State of New York had not yet approved its budget. As a result, estimates had to be made of the amounts of state aid that would be received under various programs.

The total amount of these estimates, it was noted, was approximately \$4.2 million more than the total amount of aid included in the budget that had been proposed by Governor Pataki. Accordingly, when approving the budget, the Council requested that a contingency plan be presented within 30 days after either...

1. The end of the first quarter of the City's fiscal year, if a State budget still had not been approved, or
2. The approval of a State budget that contained less aid than included in the City's budget.

The contingency plan was to identify the budget adjustments required to compensate for the lesser amount of approved aid.

A "base line" State budget was approved on August 3. At that time, State legislators indicated that a supplemental budget that possibly would provide additional aid was likely to be approved in the future.

A supplemental budget was indeed approved on October 24. However, it did not include any additional

aid for Rochester.

Under the proposed budget amendment, the estimate for State aid will be reduced to an amount consistent with the amount included in the base line State budget. Appropriations also will be reduced by an equal amount.

The primary appropriation reduction relates to the City's contribution to the NYS Retirement System. Based upon the preliminary bill received from the System, the City's actual contribution will be \$3.9 million less than the original budget amount.

The State Comptroller, the trustee for the System, has publicly indicated that the recent decline in the stock market will not affect the final bill for 2001-02. However, he did indicate that it will undoubtedly affect future bills.

The remaining reductions relate to the appropriations approved for each department. The reductions are not expected to significantly affect service levels.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-138

Ordinance No. 2001-405
(Int. No. 419)

Amending The 2001-02 Budget

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

Section 1. Ordinance No. 2001-215, the 2001-02 Budget of the City of Rochester, as amended, is hereby further amended by reducing the revenue estimates and appropriations as follows:

Council & Clerk	\$ 5,000
Administration	27,800
Law	5,000
Finance	14,900
Community Development	7,800
Economic Development	5,000
Environmental Services	50,500
Police	35,000
Fire	35,000
Library	12,700
Parks, Recreation & Human Services	34,500
Undistributed	<u>4,005,900</u>
Total	\$4,239,100

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Introductory No. 423
Re: Agreement - Child Care Council,
Inc., Referral Services

Transmitted herewith for your approval is legislation authorizing a three-year agreement with Child Care Council, Inc., 595 Blossom Road, for continued provision of child care referral services for full- and part-time employees represented by the CSEA. The maximum cost will be \$15,000 per year, which will

be financed from the current and future budgets for Undistributed Expense.

The Child Care Council was established in 1974. It provides information and assistance to parents concerning the availability and selection of child care services; recruitment, training and development programs to child care providers; and education and advocacy service to the general public.

Agreements with the Child Care Council for the provision of such services to City employees have been periodically authorized by the City Council since 1987. The most recent agreement was authorized on July 14, 1998.

Following is a summary of employee utilization of these services.

<u>Year</u>	<u>Number</u>	<u>Overall Satisfaction Level</u>
1988	55	73%
1989	65	88
1990	66	82
1991	60	90
1992	89	78
1993	107	75
1994	82	98
1995	111	100
1996	75	100
1997	66	100
1998	88	100
1999	77	100
2000	83	100

Under the proposed agreement, the Child Care Council will continue to provide the following services:

1. Upon request of an employee, provision of specific information concerning the availability of child care providers with available spaces near the home or workplace of the employee;
2. After six weeks, determination of the satisfaction of the employee with the child care services that are provided; and
3. Submission of quarterly reports to the City concerning utilization of and satisfaction with the referral services.

For each employee who requests specific information, the Child Care Council will continue to identify at least three alternative providers with available spaces who are providing child care services in accordance with the laws and regulations of the State of New York. It will also continue to provide additional information and assistance, if required.

It is expected that approximately 75 employees will utilize the service each year.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilman Mains moved to have Introductory No. 423 returned to committee.

The motion was seconded by Councilwoman Griswold.

The motion was adopted unanimously.

Introductory No. 423

ESTABLISHING MAXIMUM COMPENSATION FOR A PROFESSIONAL SERVICES AGREEMENT FOR CHILD CARE REFERRAL SERVICES

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

Section 1. The sum of \$15,000, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and the Child Care Council, Inc. for child care referral services, for a term of three years. Said amounts shall be funded from the 2001-02, 2002-03 and 2003-04 Budgets for Undistributed Expense, subject to approval of said budgets.

Section 2. This ordinance shall take effect immediately.

Held in committee.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-406
Re: 2001-02 Budget Amendment -
Library

Transmitted herewith for your approval is legislation amending the budget by increasing the budget of the Library to reflect the receipt of donations and grants totaling \$121,747.

Rundel Library Foundation	\$ 75,000
State Construction Fund	
Toy Library	31,350
Central Library	<u>15,397</u>
Total	\$ 121,747

On June 14, as proposed by President Giess and Councilmember Griswold, the City Council amended the proposed 2001-02 budget by transferring \$10,000 from the contingency account to the budget of the Library to continue operation of the Central Library on Sunday afternoons. The transfer represented a "Challenge Grant" and was contingent upon the receipt by the Library of additional funds from other sources.

The grant from the Foundation consists of two contributions, from Tops and an anonymous donor, that were received in response to the Challenge Grant. When combined with the City's \$10,000 appropriation, they will be adequate to finance the same hours of operation, from 1:00 to 5:00 p.m.

The first grant from the State Construction Fund will finance the costs of additional improvements to the toy library at the Lincoln branch library. The improvements will include the reconfiguration of space, installation of new shelving and enhancement of lighting.

The improvements will be in addition to the improvements previously financed through an anonymous \$15,000 donation to the Foundation. The Council appropriated this amount for the initial improvements on November 14, 2000.

The second grant will be used to improve climatic conditions in the underground pedestrian passageway between the Rundel Memorial Library Building and Bausch & Lomb Public Library Building. The project will include sealing of the passageway to reduce air

infiltration and installation of a new heating system.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-406
(Int. No. 425)

Amending The 2001-02 Budget Of The Rochester Public Library

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

Section 1. Ordinance No. 2001-215, the 2001-02 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$47,000, which amount is appropriated from funds received from State Construction Grants for the Lincoln Branch Toy Library Renovation Project and the Central Library Link Heating Upgrade Project.

Section 2. Ordinance No. 2001-215, the 2001-02 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Public Library by the sum of \$75,000, which amount is appropriated from funds received from the Rundel Library Foundation to fund Sunday hours at the Central Library.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-407
Re: Agreement - Nancy E. Abrams,
Civil Service Exam Development

Transmitted herewith for your approval is legislation authorizing an agreement with Nancy E. Abrams, Ph.D., of Fairport, for the continued provision of technical assistance in the development of certain civil service examinations. The maximum cost of this assistance will be \$30,000, which will be financed from the 2001-02 budgets of the Bureau of Human Resource Management and Emergency Communications Department.

Dr. Abrams has provided similar services to the City since 1980; the most recent agreement for such services was authorized by the City Council on December 19, 2000. She has assisted in the development of civil service exams for job classes in most City departments, including entry level and promotional Police, Fire and Emergency Communications titles, specialty titles in the Library, and various titles in Law, Environmental Services, Finance, Community Development, and Economic Development.

During 2001-02, Dr. Abrams will assist in the development of promotional examinations in the Police Department, provide technical reviews of fire physical ability testing, upgrade the computer programs used in testing for ECD titles, and assist with the development of other examinations that help to resolve provisional appointments. Dr. Abrams will also provide training in topics related to exam development, validation, and administration, as requested.

Dr. Abrams' fee will be \$875 per day, which is \$175 more than her current fee. A copy of her resume is available for review in BHRM.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-407
(Int. No. 427)

Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement For Technical Assistance In The Development Of Civil Service Examinations

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

Section 1. The sum of \$30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Nancy E. Abrams, Ph.D. for the continued provision of technical assistance in the development of Civil Service examinations. Of said amount, \$20,000 shall be funded from the 2001-02 Budget of the Bureau of Human Resource Management and \$10,000 shall be funded from the 2001-02 Budget of the Emergency Communications Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:35 P.M.

CAROLEE A. CONKLIN
City Clerk

* * * * *

REGULAR MEETING
DECEMBER 18, 2001

Present - President Giess, Councilmembers Curran, Douglas, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Absent - Councilmember Griswold - 1.

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.

Recognition Ceremony

Retirement:

- *Kenneth G. King, Fire Department
- *Michael J. Leach, Police Department
- *J. Gordon McKay, Department of Environmental Services
- *Neil Polimeni, Department of Parks, Recreation & Human Services
- *Not attending meeting.

APPROVAL OF THE MINUTES

By Councilmember Thompson

RESOLVED, that the minutes of the Regular Meeting of November 20, 2001, be approved as published in the official sheets of the proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges. 3676-7

Corporation Counsel Submits Settlement of Tax Assessment Proceedings. 3677-7

PUBLIC HEARINGS

Pursuant to law public hearing will now be had on the following matter:

Authorizing Pavement Width Changes On Highland Avenue As A Part Of The Highland Avenue Improvement Project Int. No. 437 Five speakers: Bob Volpe, Christopher Lude, Louis Childs, Jack Schrader, and Johanna Hodgman.

Changing The Zoning Classification Of 634 Hudson Avenue From C-2 Community Commercial To PD Planned Development #1- Holy Redeemer (Northside Church Of Christ) And Adopting The Current Plan For PD#1 Int. No. 460 Ten speakers: Carolyn Vitale, Rev. Wilson Dicker, Bill Johnson, David Little, Van Smith, Donald Rustin, Frederick Marshall, Jeffrey Walker, Tom Lianni, and Charles Brown.

Approval Of The Sale Of Land In The 14621 Industrial Park To Abbec, Inc. Int. No. 453 No speakers.

REPORTS OF STANDING COMMITTEES AND
ACTION THEREON

By Councilmember Stevenson
December 18, 2001

To the Council:

The Parks, Public Works and the Environment Committee recommends for adoption the following entitled legislation:

Int. No. 456 - Establishing Maximum Compensation For A Professional Services Agreement For Security Enhancements For City Hall

The following entitled legislation is being held in committee:

Int. No. 437 - Authorizing Pavement Width Changes On Highland Avenue As A Part Of The Highland Avenue Improvement Project

Respectfully submitted,
Robert J. Stevenson
Brian F. Curran
Tony M. Thompson
Lois J. Giess
PARKS, PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL:

Ladies and Gentlemen:

Ordinance No. 2001-408

Re: Agreement - Bergmann Associates,
City Hall Security Enhancements

Transmitted herewith for your approval is legislation authorizing an agreement with Bergmann Associates, 200 First Federal Plaza, for services relating to the enhancement of security at City Hall. The maximum cost of this agreement will be \$28,000, which will be financed from the 1999-00 Cash Capital allocation.

As you are aware, following the events of September 11, the City conducted a security review of each of its approximately 200 facilities. Included in this review was a "risk assessment" for each facility.

Among the facilities that have a higher risk is City Hall, both because of its symbolic value to the community and because of its accessibility to the public. To reduce the level of risk while maintaining accessibility, the number of entrances to the building has been reduced, additional security personnel have been assigned to the building, additional surveillance cameras have been installed and new employee identification procedures have been instituted.

Among the locations to which additional security personnel have been assigned is the "Link" entrance. At present, these personnel are utilizing a temporary security desk and console.

Under the proposed agreement, Bergmann will prepare a conceptual plan for use of the Link as the primary entrance to City Hall. Specifically, it will:

1. Evaluate the heating and cooling system within the Link area;
2. Identify necessary improvements for climatic control;
3. Design a permanent desk and console for use by security personnel; and
4. Design concealed utility connections to the desk and console.

Bergmann is recommended to provide these services since it merged with Handler Grosso Durfee, the architectural group that was involved with the original renovation of City Hall in the 1970's.

Construction of the project is expected to be completed within eight months.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-408
(Int. No. 456)

Establishing Maximum Compensation For A Professional Services Agreement For Security Enhancements For City Hall

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

Section 1. The sum of \$28,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for the design of security enhancements to City Hall. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Said amount shall be funded from the 1999-2000 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Introductory No. 437
Re: Pavement Width Changes -
Highland Avenue

Transmitted herewith for your approval is legislation approving various changes in the pavement width of Highland Avenue.

The proposed changes are part of the Highland Avenue Improvement Project, which is being designed by FRA Engineering under an agreement authorized by the City Council on August 21. The project, which extends from Monroe Avenue to the east city line, involves the reconstruction or rehabilitation of the pavement; installation of new water services and hydrants and water main improvements on side streets; replacement of curbs, catch basins, driveway aprons and sidewalks; traffic modifications; and landscaping.

In general, the width of the pavement will be either 32' or 36'. The 32' width will provide for two travel lanes and one parking lane, while the 36' width will provide for two travel lanes and two parking lanes.

The length of a recessed parking area near the intersection of Winton Road will also be increased.

Construction of the project is scheduled to begin in the spring of 2002 and be completed by the fall. The estimated cost of construction is \$3,363,000.

<u>Improvement</u>	<u>Estimated Cost</u>
Street	\$2,818,000
Water	203,000
Sewer	196,000
Traffic	146,000
Total	<u>\$3,363,000</u>

A public informational meeting concerning the project will be held on November 29. A copy of the minutes of this meeting will be forwarded to the City Council as soon as possible.

The Traffic Control Board is scheduled to consider the changes in pavement width on December 4.

A public hearing on the changes is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Introductory No. 437

AUTHORIZING PAVEMENT WIDTH CHANGES ON HIGHLAND AVENUE AS A PART OF THE HIGHLAND AVENUE IMPROVEMENT PROJECT

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

Section 1. The Council hereby approves the following pavement width changes on Highland Avenue:

1. Increase the existing recessed parking area along the north side of Highland Avenue beginning 125 feet west of Winton Road, westerly for a distance of 110 feet;
2. A decrease on Highland Avenue of 4 feet, from 36 feet to 32 feet, from Chadbourne Road to Mayflower Drive; and
3. A gradual taper on Highland Avenue of 6 feet, from 38 feet to 32 feet, beginning 180 feet east of Winton Road to 315 feet east of Winton Road; and
4. A decrease on Highland Avenue of 2 feet, from 34 feet to 32 feet, from the latter point to Hillside Avenue; and
5. A decrease on Highland Avenue of 2 feet, from 34 feet to 32 feet, from Village Lane to the East City Line.

Section 2. Such changes and additional improvements as a part of the Highland Avenue Improvement Project 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.
Held in committee.

By Councilmember Douglas

December 18, 2001

To the Council:

The Public Safety/Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 438 - Establishing Maximum Compensation For A Sponsorship Solicitation Agreement For The 2002 MusicFest, As Amended

Int. No. 439 - Establishing Maximum Compensation For A Sponsorship Solicitation Agreement For The 2002 MusicFest

Int. No. 440 - Establishing \$32,000 As Maximum Compensation For A Professional Services Agreement For The "Party In The Park" Concerts

Int. No. 441 - Authorizing An Agreement For The Training Of Employees Of The Emergency Communications Department And Amending The 2001-02 Budget

Int. No. 442 - Appropriating Funds For The Rochester Effectiveness Partnership Project

Int. No. 443 - Appropriating Funds For A Computer Training Program

Int. No. 444 - Establishing \$75,000 As Maximum Compensation For A Professional Services Agreement For Carter Street Playground Improvements

Int. No. 445 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$488,000 Bonds Of Said City To Finance Improvements To The Carter Street Playground Owned By The City

Int. No. 457 - Appropriating Funds For The Police Officer Trainee Program And Amending The 2001-02 Budget

Int. No. 458 - Authorizing An Application And Agreement With Respect To The COPS MORE 2001 Program And Amending The 2001-02 Budget

Respectfully submitted,
Benjamin L. Douglas
Robert J. Stevenson
Tony M. Thompson
Gladys Santiago
PUBLIC SAFETY/PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-409 and
Ordinance No. 2001-410
Re: Agreements - 2002 MusicFest

Transmitted herewith for your approval is legislation relating to the 2002 MusicFest. This legislation will authorize agreements with the following organizations:

1. Rochester Broadway Theatre League, for talent booking, logistical management, ticket operations and marketing, at a maximum cost of \$672,000; and

2. Source One Marketing Communications, of Cincinnati, for festival development, sponsorship solicitation and volunteer recruitment, at a base cost of \$28,000 plus commissions of 15% of new sponsorship income and 5% of renewal sponsorship income.

The cost of the agreements will be financed from the 2001-02 and 2002-03 budgets of the Department of Parks, Recreation and Human Services and revenues from the MusicFest.

The 2002 MusicFest will represent the eighth annual event. RBTL has been involved with the Fest since 1997, when it assumed responsibility for site logistics; last year it also assumed responsibility for talent booking. The agreement for provision of these services was authorized by the City Council on February 13.

Also last year, Source One assumed responsibility for festival development, sponsorship solicitation and volunteer recruitment for the 2001 MusicFest. The agreement for these services was also authorized on February 13.

The 2001 MusicFest was held at various locations throughout the city as well as at Genesee Valley Park from July 15 to 22 and was attended by more than 47,000 people.

The 2002 MusicFest will be held July 14-21 at various locations throughout the city and culminate at Genesee Valley Park on July 20 and 21.

	Actual 2001	Budget 2002
<u>Revenue</u>		
City	\$130,000	\$130,000
Corporate Sponsors	265,000	300,000
Ticket Sales	79,765	195,000
Concessions	42,169	75,000
Other	168,799	0
	<u>\$685,733</u>	<u>\$700,000</u>
<u>Expenses</u>		
Music Production	\$384,952	\$385,000
Site	139,784	140,000
Concessions	36,893	35,000
Finance/Administration	20,942	22,000
Marketing/PR	81,162	90,000
Sponsor Development	22,000	28,000
	<u>\$685,733</u>	<u>\$700,000</u>
Surplus (Deficit)	\$ 0	\$ 0

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-409
(Int. No. 438, As Amended)

Establishing Maximum Compensation For An Agreement For The 2002 MusicFest

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

Section 1. The sum of \$672,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Rochester Broadway Theatre League to provide talent booking, logistical management, ticket operations and marketing for the 2002 Rochester MusicFest. Of said amount, \$[409,000] 479,000 shall be funded

from the 2001-02 Budget of the Department of Parks, Recreation and Human Services, \$60,000 shall be funded from the 2002-03 Budget of the Department of Parks, Recreation and Human Services, contingent upon adoption of said budget, and \$[203,000] 133,000 is hereby appropriated from the MusicFest Trust Fund.

Section 2. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Mains, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - Councilmember Curran - 1.

Ordinance No. 2001-410
(Int. No. 439)

Establishing Maximum Compensation For A Sponsorship Solicitation Agreement For The 2002 MusicFest

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

Section 1. The sum of \$28,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Source One Marketing Communications to provide sponsorship solicitation and service, festival development and volunteer coordination for the 2002 Rochester MusicFest. Said amount shall be funded from the 2001-02 Budget of the Department of Parks, Recreation and Human Services. Source One Marketing Communications shall also be allowed to retain 15% of new sponsorship income and 5% of renewal sponsorship income, which amounts are hereby appropriated from anticipated revenue from the MusicFest Trust Fund.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Douglas, Mains, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - Councilmember Curran - 1.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-411
Re: Agreement - Up All Night, Party
In The Park Concert Series

Transmitted herewith for your approval is legislation authorizing an agreement with Up All Night (principal: Gerard Fisher), 111 East Avenue, for booking of national and regional artists for the "Party in the Park" 2002 concert series. The maximum cost of this agreement will be \$32,000, which will be financed from the Rochester Events Network and the 2002-03 budget of the Department of Parks, Recreation and Human Services.

The concert series will be presented on seven consecu-

tive Thursday evenings, except July 4, in Manhattan Square Park beginning on June 20 and ending on August 8. For each of these concerts, Up All Night will provide artists for both the opening and the national headline acts. It will also provide a production manager and hospitality for the artists.

Up All Night has provided similar services since the 1998 concert series. The most recent agreement for such services was authorized by the City Council on December 19, 2000.

During 2001, approximately 3,400 people per week attended the concerts.

The agreement will continue to provide for remittance to the city of 25% of net food and beverage sales during the concerts. In 2001, a total of \$11,959 in revenue was received by the City.

Up All Night produces more than 250 events each year. Because it is able to offer multiple events to performers, it typically is able to negotiate lower fees than the City usually obtained. It is estimated that this leverage in booking will save the City over \$15,000 in talent fees.

The cost of the proposed agreement is the same as the cost of the prior agreement, although one less concert is scheduled.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-411
(Int. No. 440)

Establishing \$32,000 As Maximum Compensation For A Professional Services Agreement For The "Party In The Park" Concerts

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

Section 1. The sum of \$32,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Up All Night for talent booking services for the "Party in the Park" concert series. Of said amount, \$20,000 is hereby appropriated from the Rochester Events Network Trust Fund and \$12,000 shall be funded from the 2002-03 Budget of the Department of Parks, Recreation and Human Services, contingent upon approval of said budget.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-412
Re: Agreement - MCC, Emergency
Communications Training

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe Community College for the provision of training to emergency communications personnel.

Currently, such training is provided by personnel of the Emergency Communications Department at the

Emergency Communications Center on W. Main Street. Under the proposed agreement, this training will be provided under the auspices of MCC.

Tuition for the training will be \$1,250 for employees who are registered for 12 credit hours per semester or \$105 per credit hour for employees who are registered for a lesser number. The City will finance this cost and MCC will receive State aid based upon the number of students (employees) enrolled in the program.

The training will continue to be provided by ECD personnel at the Center. MCC will reimburse the City for the cost of the training, up to the total tuition amount, which is expected to be about \$37,500 annually.

The training will be provided during normal duty hours. The employees will receive academic credit for the training.

The courses to be provided are:

Public Safety Telecommunicator	8 credits
Public Safety Dispatcher I	6
Public Safety Dispatcher I	2
Emergency Medical Dispatching	1.5

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-412
(Int. No. 441)

Authorizing An Agreement For The Training Of Employees Of The Emergency Communications Department And Amending The 2001-02 Budget

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 Monroe Community College for the provision of specified training and instruction to employees of the Emergency Communications Department. This agreement may be renewed annually.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed the cost of tuition and associated fees for each employee, and said amount, or so much thereof as may be necessary, shall be funded from the annual budgets of the Emergency Communications Department. The amount for the first year shall not exceed \$37,500, and thereafter shall not exceed the amount set forth in the annual budget for this purpose. The agreement shall also obligate Monroe Community College to reimburse the City in the amount of the total tuition and fees paid by the City in exchange for the City trainers, facilities, supplies and equipment to provide the instruction.

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

Section 4. Ordinance No. 2001-215, the 2001-02 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Emergency Communications Department by the sum of \$37,500, which amount is hereby appropriated from the funds to be received under the agreement authorized herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-413 And
Ordinance No. 2001-414
Re: CDBG Appropriations - Human
Services Projects

Transmitted herewith for your approval is legislation appropriating a total of \$12,900 from the General Community Needs allocation of the 2001-02 Community Development Block Grant to finance the costs of the following human services projects.

Rochester Effectiveness Partnership	\$10,000
Element K Saturdays Program	2,900
Total	\$12,900

The first project is considered a project with matching funds and is therefore eligible for up to five years of funding under the human services funding guidelines approved by the City Council in June, 1981. The proposed appropriation represents the third year of funding. A project description, budget and assessment are attached.

The Element K project provides free training for city residents over age 18 in the operation of personal computers, applications, and the Internet. The training is provided on one Saturday each month for four months for classes of up to 16 people who do not otherwise have access to such training.

Element K provides use of its facility at 500 Canal Boulevard, trainers, the training curriculum and reference materials. The training relates to:

1. Windows 98 (operating system)
2. Microsoft Word (word processing)
3. Microsoft Excel (spreadsheets, charts and graphs)
4. Microsoft Explorer (Internet)

Upon completion of the training, a participant receives a personal computer refurbished by MicRecycle. The proposed appropriation for the program will finance the purchase of sound cards and CD ROMs for the refurbished computers, to permit the participants to fully utilize the training they receive. A similar appropriation, of the same amount, was approved by the Council on January 16.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-140

Ordinance No. 2001-413
(Int. No. 442)

Appropriating Funds For The Rochester Effectiveness Partnership Project

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

Section 1. The sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 2001-02 Community Development Program to fund the Rochester Effectiveness Partnership Project of the

Rochester Grantmakers Forum.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-414
(Int. No. 443)

Appropriating Funds For A Computer Training Program

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

Section 1. The sum of \$2,900, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 2001-02 Community Development Program to fund the purchase of supplies and equipment for a computer training program.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-415 And
Ordinance No. 2001-416
Re: Carter Street Recreation Site
Improvements

Transmitted herewith for your approval is legislation relating to improvements at the Carter Street recreation site. This legislation will:

1. Authorize an agreement with Bayer Associates Landscape Architecture and Planning, of Hemlock, for landscape architecture and engineering services, at a maximum cost of \$75,000; and
2. Authorize the issuance of bonds totaling \$488,000 and appropriate the proceeds thereof to finance this cost and the cost of construction of the improvements.

As you are aware, the City, United Neighborhood Centers of Greater Rochester and Community Place of Greater Rochester are redeveloping the Carter Street Recreation Center. A new facility, to be used by both the Bureau of Recreation and Community Place, will be constructed.

On January 16, the City Council authorized an agreement with Community Place for the lease of the land on which construction will occur. However, the City retained control and ownership of the surrounding park and playground.

The proposed improvements relate to this latter area. The improvements will include demolition of the existing play apparatus; installation of new apparatus in two areas (separates because of different age groups); construction of new basketball and tennis courts; installation of a water play area with safety surface; replacement of fencing, trash receptacles and bicycle racks; widening of the driveway from Norton Street and other parking lot improvements; and improvements to the baseball field, walkways and paths.

Proposals for design of the improvements were solicited and received from four organizations, including

three firms located within Monroe County. Bayer is recommended because of its performance on a similar project at the Humboldt Street Recreation Center and its experience with zero depth water play equipment.

Under the proposed agreement, Bayer will provide landscape architecture and mechanical/electrical engineering services during design of the project, prepare the contract specifications and provide construction inspection services.

Construction of the improvements is scheduled to begin in June 2002 and be completed in August. The estimated cost of construction is \$413,000, which will be financed from the proposed bond issue.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-415
(Int. No. 444)

Establishing \$75,000 As Maximum Compensation For A Professional Services Agreement For Carter Street Playground Improvements

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

Section 1. The sum of \$75,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bayer Associates for landscape architectural, mechanical/electrical and construction inspection services for the Carter Street Playground Improvements. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Said amount shall be funded from a bond ordinance adopted for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2001-416
(Int. No. 445)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$488,000 Bonds Of Said City To Finance Improvements To The Carter Street Playground Owned By The City

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 improvements to the Carter Street Playground owned by the City. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$488,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$488,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$488,000 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 \$488,000. 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 the Ordinance, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years.

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

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

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

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

the provisions of the Constitution.

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

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-417
Re: CDBG Appropriation - Police Officer
Trainee Program

Transmitted herewith for your approval is legislation appropriating \$13,200 from the General Community Needs allocation of the 2001-02 Community Development Block Grant to finance the costs of further implementation of a Police Officer Trainee Program.

The program - a collaboration of the City, City School District and Monroe Community College - is intended to increase the opportunities for city youth to become police officers. It is modeled, in part, on the firefighter trainee program.

The program is available to high school juniors and seniors who apply through the District's School to Work program and enroll in the Law and Government Program at John Marshall. Six students are currently participating in the pilot program.

Besides continuing their normal academic program, the participants are provided with classroom and field instruction relating to law enforcement. They also are required to comply with specified academic, attendance and conduct standards.

Upon graduation from high school, the participants will be required to enroll in the criminal justice program at MCC. An academic program of a minimum of 12 credit hours per semester will be required.

The proposed appropriation will finance the salaries to be provided for the work-site duties, both during high school and when enrolled at MCC. The actual number of hours worked per week will depend upon the participant's academic schedule.

Upon graduation from MCC and upon completion of the equivalent of two years of full-time work, the participants will be eligible for a promotional (rather than open competitive) civil service examination. Participants who successfully complete the exam will be provided preference for enrollment in the training academy.

The proposed appropriation is expected to be sufficient to finance the cost of an average of 15 hours of work for each of the six present participants through June 30.

Respectfully submitted,

William A. Johnson, Jr.
Mayor

Ordinance No. 2001-417
(Int. No. 457)

Appropriating Funds For The Police Officer Trainee Program And Amending The 2001-02 Budget

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

Section 1. The sum of \$13,200, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 2000-01 Community Development Program to fund the Police Officer Trainee Program.

Section 2. Ordinance No. 2001-215, the 2001-02 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$12,300, and by increasing the revenue estimates and appropriations to Undistributed Expense by the sum of \$900, which amounts shall be funded from the appropriation made herein.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-418
Re: 3-1-1 Demonstration Program

Transmitted herewith for your approval is legislation relating to the 3-1-1 Program. This legislation will:

1. Authorize an agreement with the U. S. Department of Justice for receipt and use of a grant of \$232,500 under the COPS MORE 2001 program; and
2. Amend the 2001-02 budget to reflect the receipt of this grant.

The grant will be used to provide supplemental funding for the 3-1-1 demonstration program.

As you are aware, the 3-1-1 program is intended to reduce the number of calls that are dispatched and, because of the reduction in dispatchers, to improve the response times for the calls that continue to be dispatched. The reduction in required dispatches is intended to result from the provision of alternative response options, such as reports by telephone, reports by appointment, mail-in reports, and reports to alternative locations like patrol sections or NET offices.

The option is available only to callers from telephones located within the city. It is not available to callers from cellular telephones, regardless of location.

The demonstration program was approved by the City Council on October 28, 1999. Following is a summary of activity during the period January 1 through November 27, 2001:

Telephone calls answered

3-1-1	103,804
Headquarters Desk	89,322

Teleserve*	16,341
Drug hotline*	4,140
Crimestoppers*	3,191
Total	216,798

*Prior automated (non-personal) services

It is estimated that, during this period, the 3-1-1 service resulted in a net "savings" of approximately 29 police officer full-time equivalents.

The proposed supplemental funding will be used for the following purposes:

1. Acquisition and installation of customer management computer programs, to permit triage and appropriate routing of calls, as well as the acquisition of additional network user licenses (\$207,500); and
2. Technical training for departmental systems administrators (\$25,000).

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-418
(Int. No. 458)

Authorizing An Application And Agreement With Respect To The COPS MORE 2001 Program And Amending The 2001-02 Budget

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the United States Department of Justice, Office of Community Oriented Policing, for funding under the COPS MORE 2001 Program.

Section 2. Ordinance No. 2001-215, the 2001-02 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$25,000, and by increasing the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$207,500, which amounts are hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 3. The application and 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.

By Councilmember Norwood
December 18, 2001

To the Council:

The Housing and Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 446 - Authorizing The Sale Of Real Estate,
As Amended

Int. No. 447 - Approving The Acquisition Of Parcels For The Atlantic/Woodstock Housing Project

Int. No. 448 - Amending Chapter 98 Of The Municipal Code, Sexually Oriented Businesses

The Housing and Community Development Committee recommends for consideration the following entitled legislation:

Int. No. 449 - Amending The Municipal Code With Respect To Judicial Review Of Decisions Of The Municipal Code Violations Bureau

Int. No. 460 - Changing The Zoning Classification Of 634 Hudson Avenue From C-2 Community Commercial To PD Planned Development #1- Holy Redeemer (Northside Church Of Christ) And Adopting The Current Plan For PD#1

Respectfully submitted,
Wade S. Norwood
Benjamin L. Douglas
Nancy K. Griswold
Gladys Santiago
HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE

Received, filed and published.

Ordinance No. 2001-419 And
Ordinance No. 2001-420
Re: Real Estate Transactions

Transmitted herewith for your approval is legislation approving the sale of 21 properties and the acquisition of two properties.

The first six properties to be sold were included in the public auction of September 24. The purchasers will be required to complete rehabilitation of them and obtain Certificates of Occupancy within nine months of the conditional closing.

The next two properties, which are vacant lots, were also included in the public auction of September 24 but were subject to approval of development proposals. Both properties will be combined with adjacent properties. 379 Murray Street will be fenced and landscaped, while 820 Portland Avenue will be developed as a parking lot.

The next six properties are considered unbuildable because of their size. They will be sold for \$1.00 to the owners of adjacent properties and combined with those properties.

The last seven properties, on Rauber Street, will be sold to Flower City Habitat for Humanity for their appraised values. Habitat will construct seven single-family houses on the properties.

The two properties to be acquired are within the Atlantic/Woodstock area to be developed as housing. The purchase prices were established by independent appraisers, Kevin Bruckner and Robert Pogel and, along with the closing costs, will be financed from the 2001-02 Cash Capital allocation.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-141

Ordinance No. 2001-419
(Int. No. 446, As Amended)

Authorizing The Sale Of Real Estate

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

Section 1. The Council hereby approves the sale of the following parcels of real estate by regular auction:

Address S.B.L.#	Purchaser	Legal Use	Price
298 Adams St. 120.52-1-9	Joseph & Mark Perri	1 Family	\$ 2,100
69 Dr. Samuel McCree Way 121-53-1-8	Alex Massachi	1 Family	4,900
384 Jay St. 105.83-2-38	Dannie Palmer & Patricia A. Junious	1 Family	1,500
174 Remington St. 106.23-2-39	Dannie Palmer & Patricia A. Junious	2 Family	400
123-125 Seward St. 121.53-3-49.1	Lori A. Harris	1 Family	2,000
50-52 Winterroth St. 107.37-2-80	Robert Napier	2 Family	13,000

Section 2. The Council hereby further approves the sale of the following parcels of vacant land with proposal by regular auction:

Address Purchaser	S.B.L.#	Price
379 Murray St. John, Louis A. & Patricia A. Lippa	105.57-3-17.2	\$ 50
820 Portland Ave. West Square LLC*	091.83-2-87	1,500

* Officers: Thomas Alesi, Michael Alesi

Section 3. The Council hereby further approves the negotiated sale of the following parcels of unbuildable vacant land:

Address S.B.L.#	Sq. Ft. Purchaser
EH 27 Beaufort St. Pt. of 121.74-5-35	1482± Jerry E. & Chery Williams
WH 27 Beaufort St. Pt. of 121.74-5-35	1482± Gerald H. Dee, Sr. & Gerald Dee, Jr.
6 Carl St. 106.22-3-17	3308± Helly J. Rodriguez
19 Saxton St. 120.35-1-15.2	1137± Kathy L. Davis
[NH 110-118 Stout St. Pt. of 107.54-3-84	1812 Cherri A. Hawkins
SH 110-118 Stout St. Pt. of 107.54-3-84	1812 John M. Page]

Section 4. The Council hereby further approves the negotiated sale of the following parcels of buildable vacant land:

Address	S.B.L.#	Price	Purchaser
17 Rauber St.	106.39-4-2.1	\$475	Habitat*
27 Rauber St.	106.39-4-4.1	450	Habitat*
40 Rauber St.	106.39-2-60.1	525	Habitat*
84 Rauber St.	106.39-2-51.1	450	Habitat*
92 Rauber St.	106.39-2-49.1	450	Habitat*
137 Rauber St.	106.39-4-28.1	475	Habitat*
141 Rauber St.	106.39-4-30.1	475	Habitat*

* Officers: Mona Alongi, Arthur Woodward

Section 5. The Council hereby further approves the negotiated sale of the following improved parcel with proposal:

Address	S.B.L.#	Price
<u>Purchaser</u>		
495 Glenwood Av.	105.33-2-3	\$1.00
<u>Daryl & Mary A. Carmichael &</u>		
<u>Gary A. & Karen J. Walker</u>		

Section 6. 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 [6] 7. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

Ordinance No. 2001-420
(Int. No. 447)

Approving The Acquisition Of Parcels For The Atlantic/Woodstock Housing Project

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

Section 1. The Council hereby approves the acquisition of the following parcels as a part of the Atlantic/Woodstock Housing Project:

Address	Square Footage	Amount
<u>Reputed Owner</u>		
Pt. of 116 Akron St.	4,600	
James & Mary Y. Simmons		\$4,000
Pt. of 1100-1106 Atlantic Avenue	2,034	
Marjorie Matthews		1,500

Section 2. The acquisition and closing costs shall obligate the City to pay an amount not to exceed \$10,000, and said amount, or so much thereof as may be necessary, shall be funded from the 2001-02 Cash Capital Allocation.

Section 3. City taxes and other current year charges against said parcels shall be canceled from the date of 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 still owns the parcels, shall also be canceled.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-421
Re: City Code Amendment

Transmitted herewith for your approval is legislation amending certain provisions of the City Code relating to sexually oriented businesses.

These provisions, along with extensive revisions to the Zoning Ordinance, were approved by the City Council on September 19, 2000. The provisions provide for the licensing of certain such businesses and certain employees, prohibit certain activities within the businesses and establish various structural standards.

The provisions were to become effective on January 31, 2001. However, prior to the effective date, the owners of three sexually oriented businesses challenged the constitutionality of some of the provisions in the U.S. District Court.

In response to this challenge, the City indicated to the Court that it would not enforce the provisions until a decision had been rendered. This decision, which upheld the constitutionality of most provisions, was issued on May 14, 2001.

The City indicated to the Court that it would comply with the decision by amending the City Code. The lawsuit was therefore dismissed.

These amendments will:

1. Delete enterprise corruption, money laundering, and gambling and controlled substance offenses as among the specified criminal activity that must be disclosed on the license application;
2. Delete simulated sex acts, erotic touching of oneself and sadomasochism as among the sexual acts that are prohibited;
3. Specifically describe the types of physical contact between employees and customers that are prohibited;

For a business license application:

4. Eliminate the requirements for:

- a. Disclosure of all persons who have an interest in the business of 20% or greater or, for corporations, all principal shareholders,
- b. The submission of photographs of an applicant, and
- c. The listing of the residential address, drivers license number and tax identification number of the applicant;

For an employee license application:

5. Eliminate the requirements for:

- a. The listing of the place of birth, residential address and telephone number, and drivers license number of the applicant, and
- b. The disclosure whether the applicant is a principal shareholder in a sexually oriented business for which a permit or license was previously denied, suspended or revoked;

For either a business or employee license application:

- 6. Eliminate the prohibition on the issuance of an employee license if a license application had been denied within one year of the date of application.

If these amendments are approved, the new effective date of City Code provisions relating to sexually oriented businesses will be February 1, 2002.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-421
(Int. No. 448)

Amending Chapter 98 Of The Municipal Code, Sexually Oriented Businesses

WHEREAS, Chapter 98 of The Municipal Code, Sexually Oriented Businesses was added by Ordinance No. 2000-300 and said chapter was challenged in the United States District Court in Thomas G. Brownell and Barrell of Dolls Saloon, Inc. v. City of Rochester, (W.D.N.Y., 00-CV-6597L); Chuck Zicari and C&A Playmates, Inc. v. City of Rochester, (W.D.N.Y., 00-CV-6598L) and S.J.G. of Rochester, Inc., d/b/a Mirage and Dennis S. Giunta v. City of Rochester, (W.D.N.Y., 01-CV-6012L), and

WHEREAS, in a Decision and Order dated May 14, 2001 the Honorable David G. Larimer, Chief Judge, United States District Court, Western District, New York, granted a preliminary injunction against certain provisions found in Chapter 98 and upheld other provisions, and

WHEREAS, the parties have agreed to a settlement of the lawsuits in which the preliminary injunction has been made permanent and said settlements have been approved by the Court on October 11, 2001, and

WHEREAS, the Council wishes to amend Chapter 98 to conform to the permanent injunction approved by the Court, while reaffirming the remainder of Chapter 98 and the findings that form the basis for that Chapter.

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

Section 1. Chapter 98 of The Municipal Code, Sexually Oriented Businesses, is hereby amended as follows:

- a. Section 98-2, Definitions, is amended by amending the definition of SPECIFIED CRIMINAL ACTIVITY by amending subsection (1) thereof to read in its entirety as follows:

- (1) prostitution offenses; obscenity and related offenses; sexual performance by a child;

possession or distribution of child pornography; offenses against public sensibilities; sex offenses; unlawfully dealing with a child;

- b. Section 98-2, Definitions, is amended by amending the definition of SPECIFIED SEXUAL ACTIVITIES to read in its entirety as follows:

SPECIFIED SEXUAL ACTIVITIES means acts of masturbation, sexual intercourse, oral or anal copulation; fondling of another's genitals, pubic area, buttocks or female breasts, whether clothed or unclothed; human male or female genitals when in a state of sexual stimulation or arousal; or excretory functions or sexual acts with animals.

- c. Section 98-5, Application for sexually oriented business license, is amended by amending subsection C thereof to read in its entirety as follows:

C. If a person who wishes to operate a sexually oriented business is an individual, the person must sign the application for a license as applicant. Each applicant must be qualified according to the provisions of this chapter and each applicant shall be considered a licensee if a license is granted.

- d. Section 98-5, Application for sexually oriented business license, is amended by amending subsection D(1)(c) thereof to read in its entirety as follows:

(c) a corporation, the corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under the laws of its state of incorporation, the names and capacity of all officers and directors, and the name of the registered corporate agent and the address of the registered office for service of process.

- e. Section 98-5, Application for sexually oriented business license, is amended by deleting subsection D(9) thereof.

- f. Section 98-5, Application for sexually oriented business license, is amended by amending subsections D(4), (8) and (10) thereof to read in their entirety as follows, with subsection D(10) renumbered as subsection D(9):

(4) Whether the applicant has had a previous personal or business license under this chapter or other similar sexually oriented business chapters from another city or county denied, suspended or revoked, including the name and location of any sexually oriented business for which the permit was denied, suspended or revoked, as well as the date of the denial, suspension or revocation, and whether the applicant has been a partner in a partnership or an officer or director of a corporation that is licensed under this chapter whose license has previously been denied, suspended or revoked, including the name and location of the sexually oriented business for which the permit was denied, suspended or revoked as well as the date of denial, suspension or revocation.

- (8) The applicant's mailing address.

- (9) The applicant's Social Security number.
- g. Section 98-6, Application for manager or employee license, is amended by amending subsection C(2) thereof to read in its entirety as follows:
 - (2) Age and date of birth;
- h. Section 98-6, Application for manager or employee license, is amended by deleting subsections C(4) and (6) thereof, and by renumbering subsections C(5), (7) and (8) as subsections C(4), (5) and (6) respectively.
- i. Section 98-6, Application for manager or employee license, is amended by amending subsection D(2) thereof to read in its entirety as follows:
 - (2) Whether the applicant has had a previous personal or business license under this chapter or other similar sexually oriented business chapters from another city or county denied, suspended or revoked, including the name and location of any sexually oriented business for which the permit was denied, suspended or revoked, as well as the date of the denial, suspension or revocation, and whether the applicant has been a partner in a partnership or an officer or director of a corporation that is licensed under this chapter whose license has previously been denied, suspended or revoked, including the name and location of the sexually oriented business for which the permit was denied, suspended or revoked as well as the date of denial, suspension or revocation.
- j. Section 98-9, Grant or denial of manager or employee license, is amended by amending subsection B(6) thereof to read in its entirety as follows:
 - (6) The applicant has had a sexually oriented business license, a sexually oriented business manager license or a sexually oriented business employee license revoked by the City within two (2) years of the date of the current application.
- k. Section 98-9, Grant or denial of manager or employee license, is amended by deleting subsection D thereof and by relettering subsection E as subsection D.
- l. Section 98-10, Grant or denial of sexually oriented business license, is amended by amending subsection A(5) thereof to read in its entirety as follows:
 - (5) An applicant has had a sexually oriented business license, a sexually oriented business manager license or a sexually oriented business employee license revoked by the City within two (2) years of the date of the current application;
- m. Section 98-10, Grant or denial of sexually oriented business license, is amended by deleting subsection C thereof and by relettering subsection D as subsection C.
- n. Section 98-21, Additional regulations, is amended by adding thereto a new subsection M to read in its entirety as follows:

M. No employee, whether clothed or unclothed, shall sit in the lap of or lay or lean against a customer and rub his or her genital or pubic area, or her female breasts, against the customer; nor, whether clothed or unclothed, allow the customer to touch his or her genital or pubic area, or her female breasts.

Section 2. All Sections of Chapter 98 not specifically amended herein are hereby reenacted and reaffirmed by the Council of the City of Rochester. The Council hereby specifically reaffirms and adopts the Whereas clauses, purposes and findings found in both Ordinances No. 2000-299 and 2000-300 as the basis for the regulation of sexually oriented businesses and the specific regulations contained herein.

Section 3. This ordinance shall take effect on February 1, 2002.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-422
Re: City Code Amendment

Transmitted herewith for your approval is legislation amending the City Code to eliminate the possible review by City Court of municipal code violations.

The Municipal Code Violation Bureau was established by the City Council on July 8, 1969 to "...assist the City Court in the disposition of those Municipal Code offenses which are designated as or constitute a 'violation'...". The assistance involves the adjudication of the violations by independent hearing officers.

An adverse determination of a hearing officer may be appealed to the Appeals Board, a panel of three hearing officers. An appeal may also be filed under Article 78 of the NYS Civil Practice Law and Rules. These appeal methods satisfy due process requirements. On August 14, 1984, at the request of a City Court judge, the City Council authorized an additional method of appeal, a de novo review by City Court. This additional appeal is now considered unnecessary by City Court and inconsistent with the original purpose of the Municipal Code Violations Bureau - to reduce the number of cases in City Court.

The amendment will not affect the right of persons to appeal adverse determinations to the Appeals Board or to initiate proceedings under Article 78.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Attachment No. AA-142

Ordinance No. 2001-422
(Int. No. 449)

Amending The Municipal Code With Respect To Judicial Review Of Decisions Of The Municipal Code Violations Bureau

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

Section 1. Section 13A-6 of the Municipal Code, Judicial review, is hereby amended by amending the

second sentence thereof to read in its entirety as follows:

Judicial review of such order may be sought pursuant to Article 78 of the Civil Practice Law and Rules.

Section 2. This ordinance shall take effect immediately and shall apply to all tickets issued after its effective date.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Norwood, Santiago, Stevenson, Thompson - 7.

Nays - Councilmember Mains - 1.

TO THE COUNCIL:
Ladies and Gentlemen:

Introductory No. 460
Re: Zoning Map Amendment -
634 Hudson Avenue

Transmitted herewith for your approval is legislation amending the Zoning Map by changing the classification of 634 Hudson Avenue from C-2 Community Commercial to PD Planned Development #1.

The property is abutted by C-2 uses on the north, east and south and R-2 Two-Family Residential uses to the west. It contains part of the former campus of Holy Redeemer Church.

The campus originally contained the church building, school, rectory, convent and Concordia Hall. The convent building was sold to East House Properties and is currently used for housing, while Concordia Hall was sold to the Ibero-American Action League and is currently used for a Charter School.

The remaining buildings - the church, school and rectory - were sold in 1988 to Northside Church of Christ. The rectory was subsequently demolished.

The church presently has a congregation of about 350-375 members. The school presently has an enrollment of approximately 200 students and a staff of 23 people.

The rezoning was requested by Northside to permit construction on the site of a three-story apartment building with 22 one-bedroom units for elderly persons, along with a community room and administrative offices. The apartment units will contain about 540 square feet of space.

The estimated cost of construction of the building is \$1,796,500, which is expected to be financed as follows:

U.S. Department of Housing and	
Urban Development	\$1,651,500
Federal Home Loan Bank	145,000
Total	\$1,796,500

Construction is expected to begin in the spring of 2002 and be completed in February or March of 2003.

The Planning Commission held an informational hearing on the proposed rezoning on December 10; there were eight speakers, all of whom supported the proposal. The Commission recommended by a vote of 9-0 that the rezoning be approved.

Pursuant to Article 8 of the NYS Environmental Conservation Law and Article 48 of the City Code, it has been determined that the proposed rezoning will not have any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Councilmember Norwood moved to table Introductory No. 460.

The motion was seconded by Councilmember Douglas.

The motion was adopted unanimously.

Introductory No. 460

CHANGING THE ZONING CLASSIFICATION OF 634 HUDSON AVENUE FROM C-2 COMMUNITY COMMERCIAL TO PD PLANNED DEVELOPMENT #1-HOLY REDEEMER (NORTHSIDE CHURCH OF CHRIST) AND ADOPTING THE CURRENT PLAN FOR PD#1

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

Section 1. Chapter 115 of the Municipal Code, Zoning Ordinance, as amended, is hereby further amended by changing the zoning classification of the following-described property, constituting 634 Hudson Avenue, from C-2 Community Commercial to PD Planned Development #1-Holy Redeemer (Northside Church of Christ):

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 the point of intersection of the centerline of Alphonse Street and the centerline of Hudson Avenue;

- Thence 1) Easterly along the centerline of Alphonse Street a distance of 246 feet more or less to the northerly projection of the east line of Lot AR-1 as shown on a resubdivision map made for Thomas A. Fink and filed in the Monroe County Clerk's Office in Liber 240 of maps at page 59;
- Thence 2) Southerly along said projection and the easterly line of said Lot AR- 1 a distance of 133.43 feet to a point;
- Thence 3) Easterly and forming an interior angle of 268° 47' a distance of 7.82 feet to a point;
- Thence 4) Southerly and forming an interior angle of 91° 13' a distance of 15.33 feet to a point;
- Thence 5) Easterly and forming an interior angle of 268° 47' a distance of 12.87 feet to a point;

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- Thence 6) Southerly and forming an interior angle of 91° 13' a distance of 43.05 feet to a point;
- Thence 7) Westerly and forming an interior angle of 88° 47' a distance of 40.54 feet to a point;
- Thence 8) Southerly and forming an interior angle of 270° 16' 30" a distance of 189.90 feet more or less to the centerline of Clifford Avenue;
- Thence 9) Westerly along the centerline of Clifford Avenue to the centerline of Hudson Avenue;
- Thence 10) Northerly along the centerline of Hudson Avenue to the centerline of Alphonse Street and the point of place of beginning.

Section 2. The Council hereby approves the following Current Plan for PD#1-Holy Redeemer (Northside Church of Christ):

PD#1-Holy Redeemer (Northside Church of Christ).

A. Purpose: Holy Redeemer (Northside Church of Christ) Planned Development is intended to recognize and permit a defined area for the unified and orderly development of the Hudson Avenue Campus of the Northside Church of Christ, maintaining an integrated facility that provides a variety of community services. The Holy Redeemer (Northside Church of Christ) Planned Development District will maintain the integrity of the church as an important part of the Hudson Avenue street scape and as a valuable cultural resource of the City of Rochester. Planned Development districts allow flexibility in planning and development and provide a process for evaluating and accommodating incremental growth and change, thereby assuring compatibility with the adjacent, noninstitutional districts.

B. Permitted uses: Permitted uses include, but are not limited to, the following uses when consistent with the above purpose and subject to the provisions of 115-65:

- (1) Churches
- (2) Residential Buildings for Seniors
- (3) Schools
- (4) Day Care Centers
- (5) Community Centers
- (6) Community Support and Services

C. Accessory uses and structures: Accessory uses and structures are permitted in the Holy Redeemer (Northside Church of Christ) Planned Development, subject to site plan review and the limitations established in the R-3, Low-Medium Residential zoning district.

D. Bulk, space and yard requirements:

- (1) Maximum F.A.R.: Per Approved Plan.
- (2) Maximum height: Three (3) stories.
- (3) Minimum yard requirements:

- (a) Along Hudson Avenue:

[1] Parking lots and structures: 5 feet.

[2] Buildings: 25 feet.

(b) Along Clifford Avenue:

[1] Buildings: 20 feet.

(c) Along Alphonse Street:

[1] Parking lots and structures: 20 feet.

[2] Buildings: 20 feet.

E. Parking: Off-street parking and loading requirements are set forth below, subject to the standards of 115-90.

(1) Location: Parking for uses within the Holy Redeemer (Northside Church of Christ) Planned Development may be located anywhere within the District.

(2) Required Spaces: There shall be no requirement for uses in Holy Redeemer (Northside Church of Christ) Planned Development. However, any such parking voluntarily provided shall comply with the parking lot design and maintenance standards of the City Zoning Ordinance.

F. Regulations set forth in 115-95C(5) regarding telecommunication antennas and towers shall apply to this IPD.

G. Amendments to or modifications of this district are subject to the procedures set forth in 115-27.

Section 3. This ordinance shall take effect immediately.

Item tabled.

By Councilmember Mains
December 18, 2001

To the Council:

The Jobs, Finance and Governance Committee recommends for adoption the following entitled legislation:

Int. No. 450 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Labor Negotiations Services

Int. No. 451 - Establishing \$28,000 As Maximum Compensation For A Professional Services Agreement For State Lobbying Services

Int. No. 452 - Establishing Maximum Compensation For A Professional Services Agreement For Continued Administration Of The Drug Testing Program

Int. No. 454 - Local Law Amending The City Charter With Respect To The Salary Of The Mayor

Int. No. 455 - Local Law Amending The City Charter With Respect To The Salary Of Members Of The City Council

Int. No. 459 - Establishing \$100,000 As Maximum Compensation For A Professional Services Agreement With Deloitte & Touche LLP For A Systems

Review

The Jobs, Finance, and Governance Committee recommends for consideration the following entitled legislation:

Int. No. 305 - Establishing Maximum Compensation For A Professional Services Agreement With WXXI Public Broadcasting For City 12

The following entitled legislation is being held in committee:

Int. No. 453 - Approval Of The Sale Of Land In The 14621 Industrial Park To Abbec, Inc.

Respectfully submitted,
Tim O. Mains (Voted against Intro. No. 452.)
Brian F. Curran
Nancy K. Griswold
Gladys Santiago
JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-423
Re: Agreement - Daniel Wissman, Labor Relations Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Daniel Wissman, 15 Tall Acres Drive, for the continued provision of labor relations services. The maximum cost of this agreement will be \$20,000, which will be financed from the 2001-02 budget for Undistributed Expense.

Mr. Wissman was employed by the City from 1970 to December 31, 2000, when he retired. He served as Manager of Labor Relations from 1986 to the latter date.

In January, prior to the recruitment of a new manager, an agreement was executed with Mr. Wissman for assistance in the preparation for negotiations with the Police Locust Club, whose collective bargaining agreement with the City was scheduled to expire on June 30, 2001. An amendatory agreement, for additional labor relations services, was authorized by the City Council on January 16.

Mr. Wissman obviously was selected because of his familiarity with the bargaining agreement and the associated issues. His continued provision of services despite the appointment of a new manager in April is intended to provide continuity and reflects the deferral of the creation of an additional position in the labor relations unit, as recommended by CPS Human Resource Services.

A new agreement could not be negotiated with the Locust Club. Mediation by the NYS Public Employers Relations Board also was unsuccessful and an impasse to the negotiations was declared.

Under the proposed amendatory agreement, Mr. Wissman will participate in pre-arbitration conferences, assist in the preparation of the City's pre-hearing brief, and serve as the City's representative on the arbitration panel. The arbitration proceedings are expected to extend through April.

Mr. Wissman's fee will continue to be \$75 per hour.

If the proposed amendatory agreement is approved, the total cost of the agreement with Mr. Wissman will increase to \$55,000.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-423
(Int. No. 450)

Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Labor Negotiations Services

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Daniel Wissman for labor negotiations services. Said amount shall be funded from the 2001-02 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-424
Re: Agreement - Kevin Cleary Government Relations, State Lobbying Services

Transmitted herewith for your approval is legislation authorizing an agreement with Kevin Cleary Government Relations, LLC, of Albany, for continued provision of state lobbying services. The maximum cost of this agreement will be \$28,000, which will be financed from the 2001-02 budget of the Office of the Mayor.

Mr. Cleary has provided lobbying services for the City since 1995. The most recent agreement for such services was authorized by the City Council on January 16.

Under the proposed agreement, Mr. Cleary will continue to provide lobbying services during 2002. Specifically, he will:

1. Present and explain the City's legislative proposals to the City's representatives, committee chairpersons and Senate and Assembly leaders;
2. Arrange for the introduction of specific bills, their consideration by the appropriate committees and the Senate and Assembly and their approval by the Governor;
3. Identify and review all other bills that could affect the City and, as directed by the City, present comments concerning these bills;
4. Review the annual State budget with respect to its effect upon the City;
5. Arrange and coordinate any necessary meetings between State and City officials;
6. Coordinate the above activities with the NYS

Conference of Mayors and other "Big 6" cities, as necessary; and

7. Provide general advice on legislative matters.

The fee for these services will be the same as the fee during 2001.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-424
(Int. No. 451)

Establishing \$28,000 As Maximum Compensation For A Professional Services Agreement For State Lobbying Services

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

Section 1. The sum of \$28,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Kevin Cleary Government Relations, LLC, for the continued provision of State lobbying services. Said amount shall be funded from the 2001-02 Budget of the Office of the Mayor.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-425
Re: Agreement - Newport Alliance,
Drug Testing Program

Transmitted herewith for your approval is legislation authorizing a three-year agreement with Newport Alliance for Business Health, of Newport, Rhode Island, for continued administration of a drug-testing program. The maximum annual cost of this agreement will be \$25,000, which will be financed from the current and future 2000-01 budgets for Undistributed Expense.

Under the federal Omnibus Transportation Employee Testing Act of 1991, beginning January 1, 1995, all employees whose duties require the possession of commercial drivers licenses became subject to tests for drug and alcohol abuse. At present, the City has approximately 312 such employees.

Testing is mandated under the following circumstances:

1. Prior to employment,
2. After accidents involving death, hospitalization or the issuance of a police citation,
3. Upon reasonable suspicion,
4. On a random basis for...
 - a. Drugs, for at least 50% of the affected employees each year, and
 - b. Alcohol, for at least 10% of the affected employees each year.

5. Upon return to work from treatment for drug or alcohol abuse.

In addition, training concerning the effect of drugs and alcohol upon work performance is required.

To implement this mandate, since January, 1995, the City Council has authorized periodic agreements with Newport Alliance for administration of a drug-testing program. The most recent agreement, which was authorized by the Council on April 26, expires on December 31.

Proposals for services beyond that date were solicited from nine organizations. Four proposals were received.

These proposals were evaluated by an interdepartmental committee consisting of representatives from the Bureau of Human Resources Management, Emergency Communications Department and Departments of Environmental Services and Parks, Recreation and Human Services. Newport is recommended to continue to provide testing services because of its flexibility in addressing the City needs, past performance and comparative costs.

Under the proposed agreement, Newport will:

1. Ensure that all employees subject to testing are registered and have been issued identification cards;
2. Continue to contract for medical facilities within the city to serve as specimen collection points;
3. Provide for the transport of all specimens from these facilities to approved laboratories;
4. Based upon the test results and any medical information provided by an employee, determine the positive or negative status of drug or alcohol use;
5. Advise the City of such determination;
6. Maintain all required records and provide all required reports;
7. Monitor the performance of the testing sites; and
8. Provide informational and educational programs for the employees subject to the testing program and their supervisors.

In 2002, the following tests are projected for commercial drivers, at a cost of \$50 per test.

Pre-employment	30
Post accident	2
Reasonable suspicion	2
Random	
Drug	156
Alcohol	32
Return to duty/follow-up	52
Total	274

The following other tests are also projected, at a cost of \$40 per test.

Police Department pre-employment tests	135
Emergency Communications Department random tests	
Drug	83
Alcohol	17
Follow-up	6

Total 241

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-425
(Int. No. 452)

Establishing Maximum Compensation For A Professional Services Agreement For Continued Administration Of The Drug Testing Program

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

Section 1. The sum of \$25,000, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and Newport Alliance for Business Health for continued administration of the drug testing program for a term of three years. Said amounts shall be funded from the 2001-02, 2002-03 and 2003-04 budgets for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Local Law No. 3 and
Local Law No. 4
Re: Salary Adjustments

Transmitted herewith for your approval is legislation involving the salaries of the Mayor and City Council. As you are aware, Section 2-12 of the City Charter requires that the City Council establish the salary of the Mayor. Since 1989, the City Council has used the approach of setting a salary level for the Mayor in the first year of each term and stipulating annual cost of living adjustments (COLAs), with a specific cap on such increases. It has been the intent of this approach that the COLAs would generally protect the salary from erosion by inflation, while the cap would protect the taxpayer from any spikes that might occur in the Consumer Price Index (CPI).

It is clear that the accomplishments of Mayor Johnson would merit a substantial salary increase if these were normal times. However, the tragic events of September 11 and their impact on the economy do not permit such an approach. In recognition of these difficult economic times, it is proposed that the current salary of the Mayor (\$109,707) be frozen for the coming year. In January, 2003, the salary would be increased to \$115,000 and then, as has been our practice for the past twelve years, the salary would be adjusted in January 2004 and 2005 to reflect any changes in the CPI - Urban during the previous year, with an annual cap of 3% on such adjustments.

The second piece of legislation re-establishes the long-standing cost of living formula for the Council, but also freezes the Council's salary at the current level (\$27,182) for another year, until January 1, 2003.

Respectfully submitted,
Lois J. Giess President
Tim O. Mains, Chair
Jobs, Finance & Governance
Committee

Local Law No. 3
(Int. No. 454)

Local Law Amending The City Charter With Respect To The Salary Of The Mayor

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by repealing the current Subsection A of Section 3-3.1, Salary of the Mayor, and by inserting in its place the following new Subsection A:

A. Effective January 1, 2002, the annual salary of the Mayor shall be One Hundred Nine Thousand, Seven Hundred Seven Dollars (\$109,707).

Section 2. Section 3-3.1, Salary of the Mayor, is hereby further amended by repealing the current Subsection C of Section 3-3.1 and by inserting in its place the following new Subsection C:

C. Effective January 1, 2003, the salary of the Mayor shall be \$115,000. On January 1 of 2004 and 2005, the annual salary of the Mayor shall be increased by the same percentage, if any, that the Consumer Price Index - Urban has increased during the most recent twelve-month period prior to January 1 for which such Index has been published, except that no such annual increase shall exceed three percent (3%).

Section 3. Section 1 of this local law shall take effect immediately. Section 2 of this local law shall take effect 45 days after the date of its adoption.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

Local Law No. 4
(Int. No. 455)

Local Law Amending The City Charter With Respect To The Salary Of Members Of The City Council

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

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

The annual salary of each member of Council is Twenty-Seven Thousand, One Hundred Eighty-Two Dollars (\$27,182). On January 1 of 2003, 2004 and 2005, such annual salary shall be increased by the same percentage, if any, that the Consumer Price Index - Urban has increased during the most recent twelve-month period prior to January 1 for which such Index has been published, except that no such increase shall exceed an annual rate of three percent (3%).

Section 2. This local law shall take effect 45 days

after the date of its adoption.

Passed by the following vote:

Ayes - President Giess, Councilmembers Curran, Douglas, Mains, Norwood, Santiago, Stevenson, Thompson - 8.

Nays - None - 0.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2001-426
Re: Agreement - Deloitte & Touche, City
School District Systems Review

Transmitted herewith for your approval is legislation authorizing an agreement with Deloitte & Touche, 2200 Chase Square, for review of certain systems of the City School District. The maximum cost of this agreement will be \$100,000, which will be financed from the 2001-02 budget for Undistributed Expense.

The systems review is one component of a joint plan by the City and City School District to address at least a portion of the 2001-02 budget deficiency with which the District is currently confronted. This portion relates to the difference between the estimated amount of State aid included in the District's budget and the actual amount authorized under the final State budget.

When the District's 2001-02 budget was approved by the Board of Education and City Council in the spring, a State budget had not yet been approved. Therefore, estimates had to be made of the amount of State aid that would be received under various programs. These estimated amounts totaled \$275.1 million.

A "base line" State budget was approved in early August that provided for total aid of \$256.2 million, or about \$20 million less than the amount included in the budget approved for the District. At that time, it was expected that a supplemental State budget, providing for additional aid to school districts, would be approved in the future.

However, the events of September 11 resulted in a significant decrease in projected State revenues and a significant increase in projected State expenses. Accordingly, the supplemental budget approved by the Legislature in October did not include the anticipated additional aid.

To address the expected deficiency in State aid, on September 13, 2001 the District presented to the City a proposed budget adjustment plan. This plan provided for:

1. Reductions in appropriations for operations;
2. The use for operating purposes of appropriations originally intended for cash capital expenditures; and
3. The issuance of bonds to replace the funds originally intended for cash capital expenditures.

This plan, with certain modifications, was approved by the City on October 15.

The modifications involved:

1. The use for operating purposes of a reduced amount of appropriations originally intended

for cash capital expenditures;

2. The provision by the City of a loan to maintain the District's existing transportation program;
3. The denial of the issuance of bonds to replace the funds originally intended for cash capital expenditures;
4. Provision for an analysis of potential additional revenue and expense problems in the District's 2001-02 budget; and
5. Engagement by the City of a consultant to review various relevant systems within the District.

The first modification, a reduction in the amount of cash capital appropriations to be reallocated for operating purposes, was intended to limit the adverse effect of the budget deficiency upon District facilities. The second modification, the loan by the City, was intended to ensure that the limitation on the reallocation would not require further reductions in operating appropriations; it also reflected a recognition that most of the costs of the transportation program would be reimbursed by the State in 2002-03.

The third modification, the denial of the issuance of bonds to replace the cash capital appropriations was intended to prevent the transfer of costs to future budgets. The fourth modification reflected a strong belief that budgetary problems beyond those resulting from the State aid deficiency were likely.

This belief was based upon the results of the 2000-01 fiscal year, in which expenditures exceeded revenues by approximately \$21.1 million. The District was required to exhaust its reserves to compensate for this excess.

To the extent that the budget estimates for 2001-02 were based on the budget estimates of 2000-01, and to the extent that the budget estimates for 2000-01 were proven to be inaccurate, it was thought that the budget estimates for 2001-02 probably were also inaccurate. The recent revised estimate by the District of its 2001-02 budget deficiency has confirmed this belief.

The fifth modification, represented by the proposed legislation, was intended to prevent the recurrence of the types of problems encountered by the District during 2000-01 and 2001-02. It was intended to improve the financial management capabilities of the District.

Deloitte & Touche is recommended to perform the systems review because of its familiarity with the District's financial processes and procedures. It currently performs the annual independent audit of the District (and City) required by section 6-24 of the City Charter under an agreement authorized by the Council on February 17, 1998.

Under the proposed agreement, Deloitte & Touche will:

1. Assess the adequacy of the existing financial, budgetary and personnel systems for control, reporting, monitoring and forecasting; and
2. As required, develop or enhance such systems.

The review is expected be completed within six weeks.

The reallocation of cash capital allocations (#1 under the modified budget adjustment plan) will require amendment of the City Charter, which specifies a minimum annual cash capital allocation of \$10 million. Legislation providing for such amendment will be presented to the Council in the near future.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Ordinance No. 2001-426
(Int. No. 459)

Establishing \$100,000 As Maximum Compensation For A Professional Services Agreement With Deloitte & Touche LLP For A Systems Review

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

Section 1. The sum of \$100,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Deloitte & Touche LLP for a review of certain systems of the City School District. Said amount shall be funded from the 2001-02 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Introductory No. 305 was introduced August 21, 2001, and appears in its original form with its transmittal letter on page 259 of the current Council Proceeding.

Councilmember Mains moved to amend Introductory No. 305.

The motion was seconded by Councilmember Curran.

The motion was adopted unanimously.

Ordinance No. 2001-427
(Int. No. 305, As Amended)

Establishing Maximum Compensation For A Professional Services Agreement With WXXI Public Broadcasting For City 12

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

Section 1. The sum of \$87,111, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and WXXI Public Broadcasting for the continued operation of City 12 for a term not to exceed six months, from July 1 through December 31, 2001. Said amount shall be funded from the 2001-02 Budget for Undistributed Expense.

Section 2. The sum of \$43,551, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and WXXI Public Broadcasting for the continued operation of City 12 for an additional term not to exceed three months, from January 1 through March 31, 2002. Said amount shall also be funded from the 2001-02 Budget for Undistributed Expense.

Section [2] 3. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Mains moved to discharge Introductory No. 423 from committee.

The motion was seconded by Councilmember Douglas.

The motion was adopted unanimously.

Introductory No. 423 was introduced November 20, 2001, and appears in its original form with its transmittal letter on page 331 of the current Council Proceeding.

Ordinance No. 2001-428
(Int. No. 423)

Establishing Maximum Compensation For A Professional Services Agreement For Child Care Referral Services

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Introductory No. 453
Re: Real Estate Transactions - Abbec
Manufacturing

Transmitted herewith for your approval is legislation relating to real estate transactions involving the Norton Street Urban Renewal District (14621 Industrial Park). This legislation will:

1. Approve the sale of 4.501 acres of land to Abbec Manufacturing for \$90,000; and
2. Authorize a mortgage for this amount.

The sale price was established by an independent appraiser, Kevin Bruckner.

Abbec (officer: Randy McKee, President) is a manufacturer of sheet metal precision parts. It currently employs 40 people at its facility at 100 Fernwood Avenue.

Under the proposed development plan, Abbec will construct a 40,000 square foot facility in the 14621 Industrial Park. It expects to expand the facility to 70,000 square feet in approximately five years.

The estimated cost of the project is approximately \$2.0 million, which will be financed as follows:

Bank Loan	\$1,800,000
City Mortgage	90,000
Equity	110,000
Total	\$2,000,000

The City mortgage will have a term of 20 years and an interest rate equivalent to the City's borrowing rate.

Construction of the facility will begin in January, 2002 and be completed in May. As a condition of the sale, the City will indemnify Abbec for any required remediation.

The project is expected to result in the creation of 30 jobs. Abbec will provide preference to city residents in hiring.

The proposed development is the third within the 14621 Industrial Park, which contains 8.25 developable acres. If the proposed project is approved, 2.5 acres will be available for future development.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, it has been determined that the proposed sale will not result in any significant effects. A negative declaration has been issued.

A public hearing is required.

Respectfully submitted,
William A. Johnson, Jr.
Mayor

Introductory No. 453

**APPROVAL OF THE SALE OF LAND IN
THE 14621 INDUSTRIAL PARK TO ABPEC,
INC.**

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

Section 1. The Council hereby approves the sale of 25, 45, 65 and 85 Excel Drive in the 14621 Industrial Park of the Norton Street Urban Renewal Project to Abpec, Inc., for the sum of \$90,000. The purchase price may be paid by a promissory note to the City secured by a mortgage, with a term of fifteen (15) years, with interest based on the City's cost of borrowing as established by the Director of Finance.

Section 2. The Council further authorizes environmental indemnification whereby the City will indemnify Abpec, Inc., for the costs of any required environmental remediation of said parcels.

Section 3. The Mayor is hereby authorized to enter into such agreements as may be necessary to effectuate this project. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Held in committee.

Miscellaneous Business - President Giess spoke in memory of artist Ramon Santiago, recently deceased, who had visited City hall during Spanish Heritage Month and met many City employees.

The meeting was adjourned at 10:14 P.M.

CAROLEE A. CONKLIN
City Clerk

* * * * *

**ITEMS HELD IN COMMITTEE
AS OF DECEMBER 31, 2001**

Held April 18, 2000

Int. No. 117 - Approving Change In Traffic Flow On Seward Street Between Reynolds Street And Magnolia Street From Two-Way To One-Way South-bound - Parks, Public Works and the Environment Committee

Int. No. 118 - Appropriating Funds For Improvements To The Intersection Of Seward Street And Magnolia Street - Parks, Public Works and the Environment Committee

Held January 16, 2001

Int. No. 30 - Amending The Municipal Code With Respect To Hours Of Operation Of Solicitors And Commercial Travelers - Housing and Community Development Committee

Int. No. 31 - Amending The Municipal Code With Respect To Required Training For The Holders Of Certain City Certificates And Licenses - Housing and Community Development Committee

Held June 19, 2001

Int. No. 206 - Establishing \$30,000 As Maximum Compensation For A Professional Services Agreement For A Plan For The Genesee Crossroads Parking Garage - Jobs, Finance and Governance Committee

Int. No. 225 - Amending Section 52-5 Of The Municipal Code, Procedure For Enforcement, With Respect To The Issuance Of Immediate Tickets For Commercial Activities In Violation Of The Zoning Ordinance - Housing and Community Development Committee

Held June 28, 2001

Int. No. 234 - Abandonment Of A Portion Of Stillson Street And Sale Of Real Estate - Parks, Public Works and the Environment Committee

Held September 25, 2001

Int. No. 336 - Acquisition Of 28 And 32 Bryan Street For The Rochester City School District - Housing and Community Development Committee

Int. No. 337 - Authorizing A Lease Agreement For Space In The Sister Cities Parking Garage - Housing and Community Development Committee

Held October 23, 2001

Int. No. 383 - Changing The Zoning Classification Of 618 Upper Falls Boulevard From R-3 Low-Medium Residential To C-2 Community Commercial - Housing and Community Development Committee

Held November 20, 2001

Int. No. 415 - Changing The Zoning Classification Of 45, 49 And 57 Bay Street From R-3 Low Medium Residential To C-2 Community Commercial - Housing and Community Development Committee

Held December 18, 2001

Int. No. 437 - Authorizing Pavement Width Changes On Highland Avenue As A Part Of The Highland

Avenue Improvement Project - Parks, Public Works and the Environment Committee

Int. No. 453 - Approval Of The Sale Of Land In The 14621 Industrial Park To Abbec, Inc. - Jobs, Finance and Governance Committee

Int. No. 460 - Changing The Zoning Classification Of 634 Hudson Avenue From C-2 Community Commercial To PD Planned Development #1-Holy Redeemer (Northside Church Of Christ) And Adopting The Current Plan For PD#1 - Housing and Community Development Committee

Acq. - Acquire, Acquisition
Adpt. - Adopt
Agree. - Agreement
Amend. - Amendment
Anal. - Analysis
Appl. - Application
Approp. - Appropriate
Appt. - Appoint
Arch. - Architect
Assist. - Assistance
Auth. - Authorize
Bd. - Board
Bldg. - Building
Cap. - Capital
Cert. - Certified
Chg. - Charges
Class. - Classification
Comm. - Commission, Committee,
Community, Commercial
Comm. - Communication
Conserv. - Conservation
Constr. - Construction
Ctr. - Center
Decr. - Decrease
Dedica. - Dedicate
Demon. - Demonstration
Designa. - Designate
Dev. - Development
Erron. - Erroneous
Est(s). - Estimate(s)
Ext. - Extension
Facil. - Facilities
FY - Fiscal Year
Gar. - Garage
H.R. - Home Rule

Hear. - Hearing
Incr. - Increase
Indus. - Industrial
Int. - Introductory, Introduced
L.I.O. - Local Improvement Ordinance
L.L. - Local Law
Lftd. - Lifted
Litig. - Litigation
Max. - Maximum
Mgr. - Manager
Mun. - Municipal
Ofc. - Office
Off. - Official
Ord. - Ordinance
Pav. - Pavement
Pk. - Park
Proj. - Project
Pssd. - Passed
Pub. - Public
Purch. - Purchase
R.E. - Real Estate
R.O.W. - Right-of-Way
Rec. - Recreation
Rej. - Reject
Renew. - Renewal
Resi. - Residential
Reso. - Resolution
Rev. - Revenue
Svs. - Services
Tbld. - Tabled
Tr. - Transmittal
Var. - Various
Wid. - Width
Zon. - Zoning

14621 COMMUNITY TECHNOLOGY CENTER PROJECT

Auth. agree. for 14621 Community Technology Ctr. Proj., Tr. letter, 222, Pssd., 222

14621 INDUSTRIAL PARK

Approval of sale of land in 14621 Industrial Park to Excel Realty LLC, Tr. letter, 326, Pub. hear., 306, Pssd., 327

Approval of sale of land in 14621 Industrial Park to Abbec, Inc., Tr. letter, 351, Pub. hear., 333, Held, 352

911 CENTER

Establishing \$102,126 as max. compensation for professional svcs. agree. for 911 Center telephone systems, Tr. letter, 234, Pssd., 234

-A-

ABBEC, INC.

Approval of sale of land in 14621 Industrial Park to Abbec, Inc., Tr. letter, 351, Pub. hear., 333, Held, 352

ABRAMS, NANCY E.

Establishing \$30,000 as max. compensation for professional svcs. agree. for technical assistance in dev. of Civil Service examinations, Tr. letter, 332, Pssd., 333

ACCESS-TO-JOBS

Auth. agree. with Rochester-Genesee Regional Transportation Authority for Access-To-Jobs, Tr. letter, 76, Pssd., 77

ACTION FOR A BETTER COMMUNITY

Auth. agree. for Adolescent Pregnancy Prevention Svcs. Program, Tr. letter, 108, Pssd., 108

Auth. applications and agree. relating to 2001 Good Grades Pay Program, Tr. letter, 132, Pssd., 133

Auth. amend. agree. with Action for a Better Community, Inc. for continued administration of Joint Energy Conservation Program - \$90,000, Tr. letter, 155, Pssd., 155

ADECCO TECHNICAL

Establishing max. compensation for professional svcs. agree. for temporary technical personnel, Tr. letter, 313, Pssd., 313

ADOLESCENT PREGNANCY PREVENTION

Auth. agree. for Adolescent Pregnancy Prevention Svcs. Program, Tr. letter, 108, Pssd., 108

ADOPT-A-BLOCK

Auth. agree. for Adopt-A-Block Program, Tr. letter, 75, Pssd., 76

ADOPT-A-LOT

Auth. agree. for Adopt-A-Lot Program, Tr. letter, 67, Pssd., 67

ADULT COMPUTER PROGRAM

Approp. funds for adult computer program, Tr. letter, 13, Pssd., 14

ADVERTISING

Amend. mun. code with respect to advertisements on bus shelters, Tr. letter, 110, Pssd., 111

Authorizing agree. for advertisements on bus shelters, Tr. letter, 110, Pssd., 111

Establishing \$27,000 as max. compensation for professional svcs. agree. for advertising and marketing svcs. for EZ Rider Entertainment Shuttle, Tr.

letter, 236, Pssd., 237

AFTER SCHOOL ALLIANCE FUND OF THE ROCHESTER AREA COMMUNITY FOUNDATION

Auth. agree. for human svcs. proj. and amending Ord. no. 2001-323, Tr. letter, 315, Pssd., 316

AIDS

Auth. agree. relating to Housing Opportunities for Persons with AIDS Program, Tr. letter, 59, Pssd., 60

AIDS ROCHESTER, INC.

Auth. agree. relating to Housing Opportunities for Persons with AIDS Program, Tr. letter, 59, Pssd., 60

ALEXANDER, CEDRIC

Establishing max. compensation for professional svcs. agree. with Cedric Alexander for behavioral management group, Tr. letter, 285, Held, 286, Pssd., 315

ALLRIGHT NEW YORK PARKING, INC.

Auth. agree. with Allright New York Parking, Inc. for operation of mun. parking lot at 111 Franklin St., Tr. letter, 171, Pssd., 171

Auth. agree. for operation of High Falls Garage, Tr. letter, 172, Pssd., 173

ALTERNATIVES FOR BATTERED WOMEN

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

AMBULANCE SERVICES

Auth. amend. agree. with Rural Metro Medical Svcs. for continued provision of emergency ambulance svcs., Tr. letter, 1, Pssd., 2; Tr. letter, 109, Pssd., 109; Tr. letter, 201, Pssd., 201; Tr. letter, 286, Pssd., 286

AMERICAN RED CROSS

Auth. applications and agree. relating to 2001 Good Grades Pay Program, Tr. letter, 132, Pssd., 133

Auth. agree. for 2001 Youth Svcs. Program, Tr. letter, 271, Pssd., 272

AMERICORPS PROGRAM

Establishing \$62,000 as max. compensation for professional svcs. agree. with Monroe Community College for AmeriCorps Program, Tr. letter, 133, Pssd., 134

Auth. agree. for Service Learning Institute of Rochester, Tr. letter, 284, Pssd., 284

ANTHONY SQUARE PROJECT

Approp. funds and auth. agree. for garden for Anthony Square Proj., Tr. letter, 218, Pssd., 218

ANDREWS STREET

Auth. lease of space at 304 Andrews St., Tr. letter, 18, Pssd., 20

APCO GENERAL CONTRACTOR

Establishing \$133,500 as max. compensation for professional svcs. agree. with Sear Brown Group for environmental remediation of former APCO General Contractor's Site, Tr. letter, 229, Pssd., 230

Bond ord. auth. issuance of \$34,000 bonds to finance additional cost of planning and implementing environmental remediation design and interim clean-up at former APCO site located at

79 Woodstock Rd., Tr. letter, 229, Pssd., 231
 Establishing \$1,370,500 as max. compensation for professional svcs. agree. with Sear Brown Group for environmental remediation of former APCO General Contractor's Site, Tr. letter, 261, Pssd., 261
 Bond ord. auth. issuance of \$435,000 bonds to finance additional cost of planning and implementing environmental remediation at former APCO Site located at 79 Woodstock Rd., Tr. letter, 261, Pssd., 262

APPRAISAL SERVICES

Establishing \$25,000 as max. compensation for professional svcs. agree. for appraisal svcs. for West Ridge Rd. Proj. and auth. City responsibility for maintenance of water facilities, Tr. letter, 309, Pssd., 310

ARCHITECTURAL SERVICES

Establishing \$98,000 as max. compensation for amend. professional svcs. agree. for arch. and engineering svcs. for new Public Safety Bldg., Tr. letter, 96, Pssd., 96
 Establishing \$28,000 as max. compensation for professional svcs. agree. for arch. svcs. for Special Svcs. locker room renovation proj., Tr. letter, 202, Pssd., 203
 Establishing \$19,300 as max. compensation for amend. professional svcs. agree. for architectural svcs. for bldg. renovation program, Tr. letter, 265, Pssd., 266

ARDMORE STREET

Changing zoning class. of 98 and 104 Ardmore St. and 24 Moran St. from R-2 Two Family Residential to IPD#10 and amend. current plan for IPD#10, Tr. letter 278, Pub. hear., 261, Pssd., 280

ARTS AND CULTURAL COUNCIL

Auth. agree. for human svcs. proj., Tr. letter 70, Pssd. 71
 Auth. applications and agree. relating to 2001 Good Grades Pay Program, Tr. letter, 132, Pssd., 133
 Auth. agree. for Culture Builds Communities Proj., Tr. letter, 246, Pssd., 247
 Auth. agree. for human svcs. programs, Tr. letter, 270, Pssd., 271
 Auth. agree. for 2001 Youth Svcs. Program, Tr. letter, 271, Pssd., 272
 Establishing max. compensation for professional svcs. agree. for implementation of Arts & Culture Campaign of Rochester 2010: The Renaissance Plan, Tr. letter, 323, Pssd., 324

ARTWALK PROJECT

Establishing \$96,000 as max. compensation for professional svcs. agree. for design and constr. inspection svcs. for University Ave. ArtWalk proj. and amend. Ord. no. 2000-194, Tr. letter, 45, Pssd., 46
 Acceptance of permanent easements for University Ave. ArtWalk Proj., Tr. letter, 225, Pssd., 226

ASBESTOS

Establishing \$129,000 as max. compensation for professional svcs. agree. for asbestos management svcs., Tr. letter, 45, Pssd., 45

ASBURY STREET

Auth. increase in pav. width of Asbury St., Tr. letter, 148, Pub. hear., 148, Pssd., 148

ASSESSMENT

Approving apportionment of taxes and charges, Tr. letter, 113, Pssd., 113

Determining and certifying current base proportions, current percentages, and base percentages for 2001 assessment roll, Tr. letter, 119, Pssd., 119

Determining and certifying adjusted base proportions, assessed value, and net changes in assessed value for 2001 assessment roll, Tr. letter, 119, Pssd., 119

Confirming assessments, amounts and charges to be inserted in annual tax rolls for fiscal year commencing July 1, 2001 and expiring June 30, 2002, Tr. letter, 183, Pssd., 187

ASSET ONE LLC

Auth. lease of space at 232 Mill Street, Tr. letter, 18, Pssd., 20

ATLANTIC/WOODSTOCK HOUSING PROJECT

Approving acq. of parcels for Atlantic/Woodstock Housing Proj., Tr. letter, 341, Pssd., 342

AUDIT SERVICES

Establishing max. compensation for professional svcs. agree. with Deloitte & Touche, LLP for audit svcs., Tr. letter, 120, Pssd., 121

Establishing max. compensation for professional svcs. agree. with Deloitte & Touche, LLP for audit svcs. for street proj. and amend. Ord. No. 2001-70 relating to claim voucher system, Tr. letter, 173, Pssd., 174

Auth. amend. agree. with Deloitte & Touche LLP for audit svcs., Tr. letter, 256, Pssd., 257

-B-

B&R PRODUCTIONS, INC.

Establishing \$23,500 as max. compensation for professional svcs. agree. for Rhythm Nights Concert Series and MusicFest Week Gospel Concert and amend. Ord. No. 2001-59, Tr. letter, 107, Pssd., 107

BADEN PARK PLAYGROUND

Establishing \$29,000 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Baden Park Playground improvements proj., Tr. letter, 96, Pssd., 97

Bond ord. auth. issuance of \$316,000 bonds to finance improvements to Baden Park Playground, Tr. letter, 96, Pssd., 97

BADEN STREET SETTLEMENT

Auth. agree. and appropriating funds for human svcs. proj., Tr. letter, 131, Pssd., 131

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

Auth. amend. agree. with respect to teen pregnancy prevention, Tr. letter, 214, Pssd., 214

Auth. agree. for 2001 Youth Svcs. Program, Tr. letter, 271, Pssd., 272

Auth. agree. for Clinton-Baden Comm. Center, Tr. letter, 291, Pssd., 291

Auth. agree. with respect to Teen Pregnancy Prevention and amending 2001-02 Budget, Tr. letter, 318, Pssd., 319

BAY STREET

Changing zoning class. of 45, 49 and 57 Bay St. from R-3 Low Medium Resi. to C-2 Community Commercial, Tr. letter, 327, Pub. hear., 306, Held, 328

BAYER ASSOCIATES

Establishing \$75,000 as max. compensation for

professional svcs. agree. for Carter St. Playground improvements, Tr. letter, 338, Pssd., 338

BEACH AVENUE

Auth. increase in pav. width of Beach Ave., Tr. letter, 193, Pub. hear., 189, Pssd., 193

BEACON STREET

Reestablishing one-way northbound traffic on Beacon St., Tr. letter, 269, Pub. hear., 261, Pssd., 269

BEHAVIORAL MANAGEMENT GROUP

Establishing max. compensation for professional svcs. agree. with Cedric Alexander for behavioral management group, Tr. letter, 285, Held, 286, Pssd., 315

BELL ALLEY

Approving closure of Bell Alley to vehicular traffic and maintenance as pedestrian walkway, Tr. letter, 289, Pub. hear., 285, Pssd., 290

BENDERSON DEVELOPMENT COMPANY

Approving lease by Rochester Urban Renewal Agency to Benderson Development Co. of 52 Broadway in Southeast Loop Urban Renewal Proj., NYR-175, Tr. letter, 295, Pub. hear., 285, Pssd., 296

BENNINGTON DRIVE

Changing zoning class. of 50-52 Bennington Dr. from C-2 Community Commercial to M Manufacturing Industrial, Tr. letter, 302, Pub. hear., 285, Held, 302, Pssd., 326

BERGMANN ASSOCIATES

Establishing \$20,000 as max. compensation for amend. professional svcs. agree. for resid. proj. inspection svcs. for Hemlock Gatehouse tunnel access rehabilitation proj. and amend. 2000-01 Budget, Tr. letter, 2, Pssd., 3

Establishing \$96,000 as max. compensation for professional svcs. agree. for design and constr. inspection svcs. for University Ave. ArtWalk proj. and amend. Ord. no. 2000-194, Tr. letter, 45, Pssd., 46

Establishing \$42,000 as max. compensation for professional svcs. agree. for bridge maintenance program, Tr. letter, 87, Pssd., 88

Establishing \$126,500 as max. compensation for amend. agree. for supplemental environmental investigation - 1200 East Main St., Tr. letter, 88, Pssd., 89

Establishing \$98,000 as max. compensation for amend. professional svcs. agree. for arch. and engineering svcs. for new Public Safety Bldg., Tr. letter, 96, Pssd., 96

Establishing \$38,000 as max. compensation for professional svcs. agree. for Cobbs Hill Reservoir Drive rehabilitation proj., Tr. letter, 144, Pssd., 145

Establishing max. compensation for professional svcs. agree. for constr. resident proj. representation svcs., Tr. letter, 206, Pssd., 207

Establishing \$65,000 as max. compensation for professional svcs. agree. for engineering design svcs. for Pont de Rennes Pedestrian Bridge Structural Repair Project, Tr. letter, 310, Pssd., 311

Establishing max. compensation for amend. professional svcs. agree. for New Public Safety Bldg., Tr. letter, 316, Pssd., 317

Establishing max. compensation for professional svcs. agree. for security enhancements for City Hall, Tr. letter, 333, Pssd., 334

BEST, JAMES

Reso. approving appt. to Zoning Board of Appeals, Tr. letter, 223, Pssd., 223

BICKFORD STREET

Auth. release of easement on 100 Bickford St., Tr. letter, 152, Pssd., 154

BIDDLE, LYLE J.

Reso. appointing temporary members to Board of Assessment Review, Tr. letter, 30, Adpt., 31

BIOTECHNOLOGY

Amend. Development Concept Plan for Rochester Science Park, MIPD District #2, to allow biotechnology uses, Tr. letter, 258, Pub. hear., 224, Pssd., 259

BLESSED SACRAMENT

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

BLUE CROSS ARENA AT THE WAR MEMORIAL

Establishing \$50,000 as max. compensation for professional svcs. agree. for engineering svcs. for replacement of ice rink floor at Blue Cross Arena at Rochester War Memorial, Tr. letter, 235, Pssd., 235

Reducing amount established, auth. and approp. in bond ord. no. 2000-146 for var. electronic equipment for Blue Cross Arena at the War Memorial, Tr. letter, 262, Pssd., 263

Auth. agree. for new scoreboard for Blue Cross at the War Memorial and rescinding ord. no. 2000-143, Tr. letter, 262, Pssd., 264

BLUE CROSS BLUE SHIELD OF THE ROCHESTER AREA

Establishing \$27,282 as max. compensation for professional svcs. agree. for Flexible Spending Program, Tr. letter, 64, Pssd., 64

BOARD OF ASSESSMENT REVIEW

Reso. appointing temporary members to Board of Assessment Review, Tr. letter, 30, Adpt., 31

Reso. approving appointment to Board of Assessment Review, Tr. letter, 303, Adpt. 303

BOARDS AND COMMISSIONS

Reso. approving appt. and reappointments to Rochester Pub. Library Board of Trustees, Tr. letter, 23, Adpt., 24

Reso. appointing temporary members to Board of Assessment Review, Tr. letter, 30, Adpt., 31

Auth. agree. for electrical inspection svcs. and amend. professional svcs. agree. for zoning ord. revision proj., Tr. letter, 57, Pssd., 57

Reso. approving appt. to Zoning Board of Appeals, Tr. letter, 60, Adpt., 60

Establishing \$25,000 as max. compensation for agree. with Rochester/Monroe Count Freedom Trail Comm., Tr. letter, 95, Pssd., 96

Determining and certifying current base proportions, current percentages, and base percentages for 2001 assessment roll, Tr. letter, 119, Pssd., 119

Reso. approving appt. to Rochester Preservation Board, Tr. letter, 163, Adpt., 163; Tr. letter, 249, Adpt., 249; Tr. letter, 259, Adpt., 260; Tr. letter, 323, Adpt., 323

Amend. Section 52-5 of mun. code, Procedure for Enforcement, with respect to issuance of immediate tickets for commercial activities in violation of zoning ord., Tr. letter, 165, Held, 166

Auth. application and agree. for funding from New York State Crime Victims Board, Tr. letter,

131, Pssd., 132

Approving 2001-02 operating and capital budgets of Cultural Ctr. Commission, Tr. letter, 168, Pssd., 169

Reso. approving appt. to Rochester Environmental Comm., Tr. letter, 222, Adpt., 223

Reso. approving appt. to City Planning Comm., Tr. letter, 223, Adpt., 223; Tr. letter, 276, Adpt., 276; Tr. letter, 285, Adpt. 285

Reso. approving appt. to Zoning Board of Appeals, Tr. letter, 223, Pssd., 223

Reso. approving appointment to Electrical Examining Board, Tr. letter, 247, Adpt., 247

Reso. approving appointment to Board of Assessment Review, Tr. letter, 303, Adpt. 303

BONDS AND NOTES

Bond ord. auth. issuance of \$120,000 bonds to finance cost of planning and implementing environmental clean-up of 14-60 Charlotte Street, Tr. letter, 3, Pssd., 4

Bond ord. auth. issuance of \$25,000,500 bonds to finance cost of constr. and renovation of var. pub. school bldgs., Tr. letter, 36, Pssd., 37

Bond ord. auth. issuance of \$672,000 bonds and application of \$1,356,000 in funds received from County of Monroe and \$910 from Rochester-Genesee Regional Transportation Authority to finance cost of constr. and reconstruction of certain streets related to Browncroft Blvd. and North Winton Rd. improvement proj., Tr. letter, 42, Pssd., 43

Bond ord. auth. issuance of \$589,000 bonds to finance cost of constr. and reconstruction of certain water mains related to Browncroft Blvd. and North Winton Rd. improvement proj., Tr. letter, 42, Pssd., 44

Bond ord. auth. issuance of \$736,000 bonds and application of \$2,251,500 received from County of Monroe to finance cost of constr. and reconstruction of certain streets related to Clifford Ave. improvement proj., Tr. letter, 46, Pssd., 47

Bond ord. auth. issuance of \$536,000 bonds to finance cost of constr. and reconstruction of certain water mains related to Clifford Ave. improvement proj., Tr. letter, 46, Pssd., 48

Bond ord. auth. issuance of \$515,000 bonds in addition to bonds previously auth. to finance cost of constr. of Phase IV improvements to Rochester Public Market, Tr. letter, 51, Pssd., 52

Bond ord. auth. issuance of \$738,000 bonds to finance cost of planning and implementing demolition of certain City owned and privately owned structures, Tr. letter, 57, Pssd., 58

Bond ord. auth. issuance of \$375,000 bonds to finance cost of acq. of certain parcels of land for pub. and City School District parking, Tr. letter, 73, Pssd., 75

Bond ord. auth. issuance of \$1,211,000 bonds to finance reconstruction of various water mains, Tr. letter, 86, Pssd., 87

Bond ord. auth. issuance of \$316,000 bonds to finance improvements to Baden Park Playground, Tr. letter, 96, Pssd., 97

Bond ord. auth. issuance of \$75,000 bonds to finance cost of constr. and reconstruction of certain streets related to River St./Latta Rd./Lighthouse St. public improvement proj., Tr. letter, 121, Pssd., 123

Bond ord. auth. issuance of \$140,000 bonds to finance cost of constr. and reconstruction of certain water mains related to River St./Latta Rd./Lighthouse St. public improvement proj., Tr. letter, 121, Pssd., 124

Bond ord. auth. issuance of \$195,000 bonds to finance cost of design of initial phase of cathodic protection program for water supply conduits and

inspection of existing conduits within the City, Tr. letter, 145, Pssd., 146

Bond ord. auth. issuance of \$456,500 bonds to finance portion of costs of acq. and demolition of improvements on designated parcels of real property within the City's Fulton Ave. redevelopment proj., Tr. letter, 197, Held 199, Pssd., 243

Bond ord. auth. issuance of \$156,900 bonds to finance portion of costs of acq. and demolition of improvements on designated parcels of real property within the City's Project Turnaround Challenged Street Program, Tr. letter, 199, Held, 200, Pssd., 244

Bond ord. auth. issuance of \$418,000 bonds to finance cost of constr. and reconstruction of certain streets related to Lake Ave. pub. improvement proj., Tr. letter, 203, Pssd., 204

Bond ord. auth. issuance of \$1,310,000 bonds to finance cost of constr. and reconstruction of certain water mains related to Lake Ave. pub. improvement proj., Tr. letter, 203, Pssd., 205

Bond ord. auth. issuance of \$181,500 bonds to finance improvements to Lewis and Scio Park Playground, Tr. letter, 211, Pssd., 212

Bond ord. auth. issuance of \$34,000 bonds to finance additional cost of planning and implementing environmental remediation design and interim clean-up at former APCO site located at 79 Woodstock Rd., Tr. letter, 229, Pssd., 231

Bond ord. auth. issuance of \$435,000 bonds to finance additional cost of planning and implementing environmental remediation at former APCO Site located at 79 Woodstock Rd., Tr. letter, 261, Pssd., 262

Reducing amount established, auth. and approp. in bond ord. no. 2000-146 for var. electronic equipment for Blue Cross Arena at the War Memorial, Tr. letter, 262, Pssd., 263

Bond ord. auth. issuance of \$457,200 bonds to finance cost of hazardous substances investigation and planning and implementing environmental clean-up at Bureau of Water & Street Lighting at 10 Felix St., Tr. letter, 267, Pssd., 269

Rev. anticipation note ord. delegating to the Director of Finance the powers to auth. issuance of \$56,000,000 rev. anticipation notes, or so much thereof as may be necessary, in anticipation of receipt of certain rev. for fiscal year ending June 30, 2002, and to prescribe terms, form and contents, and provide for sale of such notes, Tr. letter, 282, Pssd., 283

Bond ord. auth. issuance of \$800,000 bonds to finance cost of constr. and reconstruction of certain water mains related to West Ridge Rd. improvement proj., Tr. letter, 287, Pssd., 289

Bond ord. auth. issuance of \$200,000 bonds to finance cost of engineering, planning, design and proj. inspection svcs. for certain street improvements related to Brooks Landing Revitalization Proj., Tr. letter, 299, Pssd., 300

Bond Ordinance auth. issuance of \$488,000 bonds to finance improvements to Carter St. Playground, Tr. letter, 338, Pssd., 339

BOTEC ANALYSIS CORPORATION

Establishing max. compensation for professional svcs. agree. for Drug Summit and amending 2001-02 Budget, Tr. letter, 306, Pssd., 306

BOYS AND GIRLS CLUB

Auth. agree. for 2001 Youth Svcs. Program, Tr. letter, 271, Pssd., 272

BRIDGE(S)

Establishing \$144,000 as max. compensation for professional svcs. agree. for design svcs. for

Elmwood Ave. Bridge rehabilitation proj., Tr. letter, 4, Pssd., 5

Establishing \$42,000 as max. compensation for professional svcs. agree. for bridge maintenance program, Tr. letter, 87, Pssd., 88

Establishing max. compensation for amend. agree. for design svcs. for Elmwood Ave. Bridge Rehabilitation Proj. and approp. funds, Tr. letter, 226, Pssd., 227

Establishing \$65,000 as max. compensation for professional svcs. agree. for engineering design svcs. for Pont de Rennes Pedestrian Bridge Structural Repair Project, Tr. letter, 310, Pssd., 311

BRONSON AVENUE

Renaming Bronson Ave. as Dr. Samuel McCree Way, Tr. letter, 25, Pub. Hear., 1, Pssd., 25

BRONSON, HARRY

Reso. approving appt. to City Planning Comm., Tr. letter, 285, Adpt. 285

BROOKS LANDING

Establishing \$200,000 as max. compensation for professional svcs. agree. for Brooks Landing Revitalization Proj., Tr. letter, 299, Pssd., 299

Bond ord. auth. issuance of \$200,000 bonds to finance cost of engineering, planning, design and proj. inspection svcs. for certain street improvements related to Brooks Landing Revitalization Proj., Tr. letter, 299, Pssd., 300

BROOKS, RUTH E.

Reso. appointing temporary members to Board of Assessment Review, Tr. letter, 30, Adpt., 31

BROWN, ARTHUR

Auth. applications and agree. relating to 2001 Good Grades Pay Program, Tr. letter, 132, Pssd., 133

Auth. agree. for 2001 Youth Svcs. Program, Tr. letter, 271, Pssd., 272

BROWN STREET

Auth. sale of real estate, and appropriating funds and canceling charges related to Brown St. proj., Tr. letter, 134, Pssd., 135

Auth. agree. for Brown St. Proj. and amending 2001-02 Budget, Tr. letter, 244, Pssd., 244

Approving acq. of 532 Brown St. for Brown Street Proj. by negotiation of condemnation, Tr. letter, 278, Pub. hearing, 261, Returned to Committee, 278, Pssd., 326

Approving acq. of 876 Brown St. for Brown St. Proj. by negotiation or condemnation, Tr. letter, 297, Pub. hearing, 285, Held, 297, Pssd., 326

Accepting donations of 547-549 Brown St. and 339 Murray St., Tr. letter, 320, Pssd., 322

Determination and findings relating to acquisition of 532 Brown St. as part of Brown St. Dev. Proj., Tr. letter, 324, Pssd., 325

BROWNCROFT BOULEVARD

Bond ord. auth. issuance of \$672,000 bonds and application of \$1,356,000 in funds received from County of Monroe and \$910 from Rochester-Genesee Regional Transportation Authority to finance cost of constr. and reconstruction of certain streets related to Browncroft Blvd. and North Winton Rd. improvement proj., Tr. letter, 42, Pssd., 43

Bond ord. auth. issuance of \$589,000 bonds to finance cost of constr. and reconstruction of certain water mains related to Browncroft Blvd. and North Winton Rd. improvement proj., Tr. letter, 42, Pssd., 44

Auth. agree. and approp. funds for Browncroft Blvd. and North Winton Rd. improvement proj., Tr. letter, 42, Pssd., 45

BRUCKNER, TILLET, ROSSI, CAHILL AND LEGRETT

Establishing \$25,000 as max. compensation for professional svcs. agree. for appraisal svcs. for West Ridge Rd. Proj. and auth. City responsibility for maintenance of water facilities, Tr. letter, 309, Pssd., 310

BRYAN STREET

Acq. of 28 and 32 Bryan St. for Rochester City School District, Tr. letter, 273, Held, 274

BUDGET, 2000-01

Establishing \$20,000 as max. compensation for amend. professional svcs. agree. for resid. proj. inspection svcs. for Hemlock Gatehouse tunnel access rehabilitation proj. and amend. 2000-01 Budget, Tr. letter, 2, Pssd., 3

Auth. agree. for human svcs. proj. and amend. 2000-01 Budget, Tr. letter 13, Pssd., 14

Establishing max. compensation for professional svcs. agree. for svcs. as grant writer for Rochester Cemeteries heritage Foundation and amend. 2000-01 Budget and auth. agree. options, Tr. letter, 14, Pssd., 15

Auth. agree. for Historical Resources Survey and amend. 2000-01 Budget, Tr. letter, 21, Pssd., 22

Approving agree. for cemetery svcs. and amend. 2000-01 Budget, Tr. letter, 41, Pssd., 42

Approving agree. for Freedom Trail and amend. 2000-01 Budget, Tr. letter, 50, Pssd., 51

Amend. 2000-01 Budget by approp. forfeiture funds, Tr. letter, 53, Pssd., 53

Acceptance of Toy Library grant and amend. 2000-01 Budget for NET, Tr. letter, 70, Pssd., 70

Amend. 2000-01 Budget, Tr. letter, 82, Pssd., 83

Establishing \$86,300 as max. compensation for professional svcs. agree. for design standards for zoning map and ord. update proj. and amending 2000-01 budget, Tr. letter, 124, Pssd., 125

Auth. application and agree. for truancy program and amending 2000-01 budget, Tr. letter, 131, Pssd., 132

Amend. Ord. No. 2000-383 and 2000-01 Budget for Rochester Public Library, Tr. letter, 165, Pssd., 165

Auth. application and agree. for Center City Signage Proj. and amend. 2000-01 Budget, Tr. letter, 174, Pssd., 175

Amend. 2000-01 Budget, Tr. letter, 257, Pssd., 258

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Auth. application and agree. for PAC-TAC Support Proj. and amend. 2001-02 Budget, Tr. letter, 149, Pssd., 150; Tr. letter, 237, Pssd., 238

Amend. 2001-02 Budget in regard to research for La Avenida Proj. - \$5,000, Tr. letter, 175, Pssd., 175

Amend. 2001-02 Budget in regard to Champion Street Demonstration Proj. - \$50,000, Tr. letter, 175, Pssd., 176

Amend. 2001-02 Budget in regard to impact of closing of Genesee Hospital - \$20,000, Tr. letter, 176, Pssd., 176

Amend. City Code and proposed 2001-02 Budget in regard to compensation for election inspectors - \$7,500, Tr. letter, 176, Pssd., 177

Amend. 2001-02 Budget in regard to matching grant for docking facilities - \$15,000, Tr. letter,

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 Amend. 2001-02 Budget in regard to transportation and job development - \$5,000, Tr. letter, 177, Pssd., 178
 Amend. proposed 2001-02 Budget in regard to park security personnel - \$20,000, Tr. letter, 178, Pssd., 178
 Amend. 2001-02 Budget in regard to Human Rights Legislation Public Information Campaign - \$30,000, Tr. letter, 178, Pssd., 178
 Amend. 2001-02 Budget in regard to HUBZones - \$20,000, Tr. letter, 179, Pssd., 179
 Amend. 2001-02 Budget in regard to challenge grant for public library - \$10,000, Tr. letter, 179, Pssd., 179
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 Amend. 2001-02 Budget in regard to Monroe Ave. matching grant initiative - \$25,000, Tr. letter, 180, Pssd., 180
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 Amend. 2001-02 Budget in regard to materials for community library - \$20,000, Tr. letter, 181, Pssd., 181
 Amend. 2001-02 Budget in regard to tree health care - \$30,000, Tr. letter, 181, Pssd., 182
 Amend. proposed 2001-02 Budget in regard to Job Dev. Fund, Tr. letter, 182, Pssd., 182
 Amend. 2001-02 Budget in regard to Bureau of Human Resource Management - \$323,000, Tr. letter, 182, Pssd., 183
 Adoption of budget ests. for mun. purposes for 2001-02 Fiscal Year, and approp. of sums set forth therein and approving commercial refuse fees, Tr. letter, 182, Pssd., 185
 Adoption of budget ests. for school purposes for fiscal year commencing July 1, 2001 and expiring June 30, 2002, and approp. of sums set forth therein, Tr. letter, 183, Pssd., 185
 Levying taxes for mun. purposes for fiscal year commencing July 1, 2001 and expiring June 30, 2002, Tr. letter, 183, Pssd., 186
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 Confirming assessments, amounts and charges to be inserted in annual tax rolls for fiscal year commencing July 1, 2001 and expiring June 30, 2002, Tr. letter, 183, Pssd., 187
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 Auth. applications and agree. for Police Programs and amend. 2001-02 Budget, Tr. letter, 272, Pssd., 273
 Establishing max. compensation for professional svcs. agree. for Drug Summit and amending 2001-02 Budget, Tr. letter, 306, Pssd., 306
 Auth. an application and agree. with respect to seat belt enforcement and amending 2001-02 Budget, Tr. letter, 316, Pssd., 316
 Auth. amend. agree. with respect to dev. of Metropolitan Medical Response System and amending 2001-02 Budget, Tr. letter, 317, Pssd., 317
 Auth. agree. with respect to Teen Pregnancy Prevention and amending 2001-02 Budget, Tr. letter, 318, Pssd., 319

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 Amending 2001-02 Budget of Rochester Public Library, Tr. letter, 331, Pssd., 332
 Auth. agree. for training of employees of Emergency Communications Dept. and amend. 2001-02 Budget, Tr. Letter, 336, Pssd., 337
 Approp. funds for Police Officer Trainee Program and amend. 2001-02 Budget, Tr. letter, 339, Pssd., 340
 Auth. application and agree. with respect to COPS MORE 2001 Program and amend. 2001-02 Budget, Tr. letter, 340, Pssd., 341

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Establishing \$20,000 as max. compensation for amend. professional svcs. agree. for Building Renovation Program, Tr. letter, 202, Pssd., 202
 Auth. agree. for structural engineering svcs. for bldg. renovation proj., Tr. letter, 307, Pssd., 308

BURTON, NANCY H.

Establishing max. compensation for professional svcs. agree. for proj. management svcs., Tr. letter, 16, Pssd., 17
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CCG SYSTEMS, INC.

Establishing \$92,000 as max. compensation for professional svcs. agree. for fleet information system, Tr. letter, 287, Pssd., 287

CME ASSOCIATES

Auth. agree. for materials testing svcs., Tr. letter, 127, Pssd., 128

CAMERON COMMUNITY MINISTRIES

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137
 Auth. agree. for human svcs. proj., Tr. letter, 148, Pssd., 149

CAMP EASTMAN

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CANADIAN AMERICAN TRANSPORTATION SYSTEM, LLC

Auth. agree. for fast ferry service to Toronto, lease of terminal bldg. and management of Port of Rochester, Tr. letter, 224, Tabled, 225, Tabled,

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CAREER SYSTEMS DEVELOPMENT

Auth. applications and agree. relating to 2001 Good Grades Pay Program, Tr. letter, 132, Pssd., 133

CARTER STREET PLAYGROUND

Establishing \$75,000 as max. compensation for professional svcs. agree. for Carter St. Playground improvements, Tr. letter, 338, Pssd., 338
Bond Ordinance auth. issuance of \$488,000 bonds to finance improvements to Carter St. Playground, Tr. letter, 338, Pssd., 339

CASCADE HISTORIC DISTRICT

LIO establishing cost of special work and svcs. related to upgrading of landscape features for Cascade Historic District, Tr. letter, 140, Pub. hear., 112, Pssd., 141
Approp. funds for Cascade Historic district development and promotion, Tr. letter, 247, Pssd., 248
Auth. amend. 2001-02 Comm. Dev. Program Plan, amending Ord. No. 99-18 and auth. agree. for Zoning Ord. and Map Revision Proj. and auth. agree. for Cascade Historic District street furniture and art, Tr. letter, 297, Pub. hear., 285, Pssd., 298

CASH CAPITOL

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CASSARA, DAVID R., ASSOCIATES

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CATHERINE MCAULEY HOUSING

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CATHOLIC CHARITIES, INC.

Auth. agree. relating to Housing Opportunities for Persons with AIDS Program, Tr. letter, 59, Pssd., 60
Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

CATHOLIC FAMILY CENTER

Auth. agree. for Adolescent Pregnancy Prevention Svcs. Program, Tr. letter, 108, Pssd., 108
Auth. applications and agree. relating to 2001 Good Grades Pay Program, Tr. letter, 132, Pssd., 133
Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

CEMETERIES

Establishing max. compensation for professional svcs. agree. for svcs. as grant writer for Rochester Cemeteries heritage Foundation and amend. 2000-01 Budget and auth. agree. options, Tr. letter, 14, Pssd., 15
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Auth. amend. 1995-96, 1996-97, 1997-98, 1998-99 and 1999-2000 Community Dev. Program Plans, amend. ordinances and funding for Center City Design District Proj., Tr. letter, 165, Pub. hear.,

142, Pssd., 166

Auth. application and agree. for Center City Signage Proj. and amend. 2000-01 Budget, Tr. letter, 174, Pssd., 175
Auth. participation in Center City Signage Federal Aid Proj., Tr. letter, 308, Pssd., 309

CENTER FOR DISPUTE SETTLEMENT, INC.

Establishing \$128,800 as max. compensation for professional svcs. agree. for continuation of citizen complaint services for Rochester Police Dept., Tr. letter, 234, Pssd., 235

CENTER, THE

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

CENTRAL PARK CAFÉ

Auth. amend. 1995-96 and 1996-97 Comm. Dev. Program Plans and agree. for Central Park Café and amend. Ord. no. 95-399 and 96-190, Tr. letter, 250, Pub. hear., 224, Pssd., 251

CENTREX

Auth. agree. with Frontier Communications of Rochester, Inc. for continuation of Centrex services, Tr. letter, 283, Pssd., 284

CEPHAS ATTICA

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

CHAMPION STREETS DEMONSTRATION PROJECT

Amend. 2001-02 Budget in regard to Champion Street Demonstration Proj. - \$50,000, Tr. letter, 175, Pssd., 176

CHARLES SETTLEMENT HOUSE

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,310,000, Tr. letter, 155, Pssd., 156

CHARLOTTE STREET

Bond ord. auth. issuance of \$120,000 bonds to finance cost of planning and implementing environmental clean-up of 14-60 Charlotte Street, Tr. letter, 3, Pssd., 4

CHILD CARE COUNCIL, INC.

Establishing max. compensation for professional svcs. agree. for child care referral svcs., Tr. letter, 331, Held, 331, Pssd., 351

CHILD CARE REFERRAL SERVICES

Establishing max. compensation for professional svcs. agree. for child care referral svcs., Tr. letter, 331, Held, 331, Pssd., 351

CHILI AVENUE

Establishing \$750,000 as max. compensation for professional svcs. agree. for design svcs. for Chili Ave. improvement proj., Tr. letter, 206, Pssd., 206

CHURCH OF LOVE

Auth. applications and agree. relating to 2001 Good Grades Pay Program, Tr. letter, 132, Pssd., 133

CHURCH OF LOVE FAITH CENTER

Auth. agree. for 2001 Youth Svcs. Program, Tr. letter, 271, Pssd., 272

CICCONE, J. RICHARD, M.D.

Establishing \$15,000 as max. compensation for amend. professional svcs. agree. for expert medical svcs., Tr. letter, 82, Pssd., 82

Establishing \$4,500 as max. compensation for amend. professional svcs. agree. for expert medical svcs., Tr. letter, 304, Pssd., 304

CITIZEN COMPLAINT SERVICES

Establishing \$128,800 as max. compensation for professional svcs. agree. for continuation of citizen complaint services for Rochester Police Dept., Tr. letter, 234, Pssd., 235

CITY 12

Establishing max. compensation for professional svcs. agree. with WXXI Public Broadcasting for City 12, Tr. letter, 361 of 2000 Council Proceedings, Pssd., 64

Establishing max. compensation for professional svcs. agreement with WXXI Public Broadcasting for City 12, Tr. letter, 258, Held, 259; Pssd., 351

CITY CHARTER

Local Law amend. City Charter with respect to powers of the Neighborhood Empowerment Team Director, Tr. letter, 72, Pssd., 72

Local Law amend. City Charter with respect to salary of Mayor, Tr. letter, 349, Pssd., 350

Local Law amend. City Charter with respect to salary of members of City Council, Tr. letter, 349, Pssd., 350

CITY CODE

Amend. City Code and proposed 2001-02 Budget in regard to compensation for election inspectors - \$7,500, Tr. letter, 176, Pssd., 177

CITY DEVELOPMENT FUNDS

Auth. amend. 1995-96 and 1996-97 Comm. Dev. Program Plans and 1995-96 and 1999-2000 City Development Funds and agree. for Hallman Dev. Proj. and amend. Ord. No. 96-229, Tr. letter, 24, Pub. hear., 1, Pssd., 25

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CITY PLANNING COMMISSION

Reso. approving appt. to City Planning Comm., Tr. letter, 223, Adpt., 223; Tr. letter, 276, Adpt., 276; Tr. letter, 285, Adpt., 285

CITY SCHOOL DISTRICT

Bond ord. auth. issuance of \$375,000 bonds to finance cost of acq. of certain parcels of land for pub. and City School District parking, Tr. letter, 73, Pssd., 75

Auth. applications and agree. relating to 2001 Good Grades Pay Program, Tr. letter, 132, Pssd., 133

Petition from School 46 K-8 Task Force requesting consideration of adding 7th and 8th grades to School No. 46, 142

Adoption of budget ests. for school purposes for fiscal year commencing July 1, 2001 and expiring June 30, 2002, and approp. of sums set forth therein, Tr. letter, 183, Pssd., 185

Levying taxes for school purposes for fiscal year commencing July 1, 2001 and expiring June 30, 2002, Tr. letter, 183, Pssd., 186

Auth. sale of former Michaels-Stern Bldg. and lease of parking lots to City School District, Tr. letter, 221, Pssd., 222

Auth. agree. with City School District for joint use and maintenance of facilities, Tr. letter, 233, Pssd., 234

Acq. of 28 and 32 Bryan St. for Rochester City

School District, Tr. letter, 273, Held, 274

Rev. anticipation note ord. delegating to the Director of Finance the powers to auth. issuance of \$56,000,000 rev. anticipation notes, or so much thereof as may be necessary, in anticipation of receipt of certain rev. for fiscal year ending June 30, 2002, and to prescribe terms, form and contents, and provide for sale of such notes, Tr. letter, 282, Pssd., 283

Establishing \$100,000 as max. compensation for professional svcs. agree. with Deloitte & Touche LLP for systems review, Tr. letter, 350, Pssd., 351

CIVIL SERVICE EXAMINATIONS

Establishing \$30,000 as max. compensation for professional svcs. agree. for technical assistance in dev. of Civil Service examinations, Tr. letter, 332, Pssd., 333

CLAIM VOUCHER SYSTEM

Establishing \$42,000 as max. compensation for professional svcs. agree. for claim voucher system, Tr. letter, 63, Pssd., 63

CLARK PATTERSON ASSOCIATES

Establishing \$20,000 as max. compensation for professional svcs. agree. for east end parking study, Tr. letter, 170, Pssd., 171

CLEARY, KEVIN, GOVERNMENT RELATIONS, LLC

Auth. Director of Finance to cancel real property taxes or charges of \$1,000 or less, Tr. letter, 28, Pssd., 29

Establishing \$28,000 as max. compensation for professional svcs. agree. for State lobbying svcs., Tr. letter, 347, Pssd., 348

CLIFFORD AVENUE

Auth. changes in pav. wid. of Culver Rd. and Empire Blvd. as part of Clifford Ave. improvement proj., Tr. letter, 7, public hear., 1, Pssd., 7

Approving acq. of easements for Clifford Ave. pub. improvement proj. by negotiation or condemnation, Tr. letter, 6, Pssd., 7

Bond ord. auth. issuance of \$736,000 bonds and application of \$2,251,500 received from County of Monroe to finance cost of constr. and reconstruction of certain streets related to Clifford Ave. improvement proj., Tr. letter, 46, Pssd., 47

Bond ord. auth. issuance of \$536,000 bonds to finance cost of constr. and reconstruction of certain water mains related to Clifford Ave. improvement proj., Tr. letter, 46, Pssd., 48

LIO for retention of window wells at 2263-2267 Clifford Ave. as part of Clifford Ave. improvement proj., Tr. letter, 46, Pub. hear., 39, Pssd., 49

Auth. agree. and appropriating funds for Clifford Ave. improvement proj., Tr. letter, 46, Pssd., 49

CLINTON-BADEN COMMUNITY CENTER

Auth. agree. for Clinton-Baden Comm. Center, Tr. letter, 291, Pssd., 291

COALITION OF NORTHEAST ASSOCIATIONS

Auth. agree. for Adopt-A-Lot Program, Tr. letter, 67, Pssd., 67

Auth. agree. for Adopt-A-Block Program, Tr. letter, 75, Pssd., 76

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,310,000, Tr. letter, 155, Pssd., 156

Auth. agree. relating to Graffiti Control Program, Tr. letter, 195, Pssd., 196

COBBS HILL RESERVOIR

Establishing \$38,000 as max. compensation for professional svcs. agree. for Cobbs Hill Reservoir Drive rehabilitation proj., Tr. letter, 144, Pssd., 145

COLUMBIA ANALYTICAL SERVICES

Auth. agree for materials testing svcs., Tr. letter, 127, Pssd., 128

COLVIN STREET

Accepting donation of real estate, Tr. letter, 216, Pssd., 218

COMMERCIAL LOAN PROGRAM

Auth. amend. 1995-96 and 1996-97 Community Dev. Program Plans, amend. ord. and approp. funds for Commercial Loan Program, Tr. letter, 64, Pub. hearing, 39, Pssd., 65

COMMERCIAL TRAVELERS

Amend. mun. code with respect to hours of operation of solicitors and comm. travelers, Tr. letter, 26, Held, 27

COMMONWEALTH INSECTION SERVICES, INC.

Auth. agree. for electrical inspection svcs. and amend. professional svcs. agree. for zoning ord. revision proj., Tr. letter, 57, Pssd., 57

COMMUNITY COALITION PARTNERSHIP PROGRAM

Auth. amend. agree. with respect to teen pregnancy prevention, Tr. letter, 214, Pssd., 214

COMMUNITY DEVELOPMENT BLOCK GRANT

Approving Consolidated Community Dev. Program/2001-02 Annual Action Plan, Tr. letter, 139, Pub. hear., 112, Pssd., 140

COMMUNITY DEVELOPMENT PROGRAM, 1995-96

Auth. amend. 1995-96 and 1996-97 Comm. Dev. Program Plans and 1995-96 and 1999-2000 City Dev. Funds and agree. for Hallman Dev. Proj. and amend. Ord. No. 96-229, Tr. letter, 24, Pub. hear., 1, Pssd., 25

Auth. amend. 1995-96 and 1996-97 Community Dev. Program Plans, amend. ord. and approp. funds for Commercial Loan Program, Tr. letter, 64, Pub. hearing, 39, Pssd., 65

Auth. amend. 1995-96, 1996-97, 1997-98, 1998-99 and 1999-2000 Community Dev. Program Plans, amend. ordinances and funding for Center City Design District Proj., Tr. letter, 165, Pub. hear., 142, Pssd., 166

Approp. funds for Cascade Historic district development and promotion, Tr. letter, 247, Pssd., 248

Auth. amend. 1995-96, 1996-97 and 1997-98 Comm. Dev. Program Plans and approp. funds for Business Association Support Program and amend. Ord. no. 97-222, Tr. letter, 247, Pub. hear., 224, Pssd., 248

Auth. amend. 1995-96 Comm. Dev. Program Plan and approp. funds for Neighbors Shopping Neighborhoods Program, Tr. letter, 247, Pub. hear., 224, Pssd., 249

Auth. amend. 1995-96 and 1996-97 Comm. Dev. Program Plans and agree. for Central Park Café and amend. Ord. no. 95-399 and 96-190, Tr. letter, 250, Pub. hear., 224, Pssd., 251

COMMUNITY DEVELOPMENT PROGRAM,

1996-97

Auth. amend. 1995-96 and 1996-97 Comm. Dev. Program Plans and 1995-96 and 1999-2000 City Development Funds and agree. for Dev. Proj. and amend. Ord. No. 96-229, Tr. letter, 24, Pub. hear., 1, Pssd., 25

Auth. amend. 1995-96 and 1996-97 Community Dev. Program Plans, amend. ord. and approp. funds for Commercial Loan Program, Tr. letter, 64, Pub. hearing, 39, Pssd., 65

Auth. amend. 1995-96, 1996-97, 1997-98, 1998-99 and 1999-2000 Community Dev. Program Plans, amend. ordinances and funding for Center City Design District Proj., Tr. letter, 165, Pub. hear., 142, Pssd., 166

Auth. amend. 1995-96, 1996-97 and 1997-98 Comm. Dev. Program Plans and approp. funds for Business Association Support Program and amend. Ord. no. 97-222, Tr. letter, 247, Pub. hear., 224, Pssd., 248

Auth. amend. 1995-96 and 1996-97 Comm. Dev. Program Plans and agree. for Central Park Café and amend. Ord. no. 95-399 and 96-190, Tr. letter, 250, Pub. hear., 224, Pssd., 251

COMMUNITY DEVELOPMENT PROGRAM, 1997-98

Auth. amend. 1995-96, 1996-97, 1997-98, 1998-99 and 1999-2000 Community Dev. Program Plans, amend. ordinances and funding for Center City Design District Proj., Tr. letter, 165, Pub. hear., 142, Pssd., 166

Auth. amend. 1995-96, 1996-97 and 1997-98 Comm. Dev. Program Plans and approp. funds for Business Association Support Program and amend. Ord. no. 97-222, Tr. letter, 247, Pub. hear., 224, Pssd., 248

COMMUNITY DEVELOPMENT PROGRAM, 1998-99

Auth. amend. 1995-96, 1996-97, 1997-98, 1998-99 and 1999-2000 Community Dev. Program Plans, amend. ordinances and funding for Center City Design District Proj., Tr. letter, 165, Pub. hear., 142, Pssd., 166

COMMUNITY DEVELOPMENT PROGRAM, 1999-2000

Auth. amend. 1999-2000 and 2000-01 Comm. Dev. Program Plans for float loans and funding for HUD Asset Control Area Partnership Program, auth. agree. and sale of real estate, Tr. letter, 354 of 2000 Council Proceedings, Pssd., 26

Auth. amend. 1995-96, 1996-97, 1997-98, 1998-99 and 1999-2000 Community Dev. Program Plans, amend. ordinances and funding for Center City Design District Proj., Tr. letter, 165, Pub. hear., 142, Pssd., 166

COMMUNITY DEVELOPMENT PROGRAM, 2000-01

Approp. funds for adult computer program, Tr. letter, 13, Pssd., 14

Auth. amend. 1999-2000 and 2000-01 Comm. Dev. Program Plans for float loans and funding for HUD Asset Control Area Partnership Program, auth. agree. and sale of real estate, Tr. letter, 354 of 2000 Council Proceedings, Pssd., 26

Approp. funds for Logic Model Training, Tr. letter, 53, Pssd., 53

Appropriating funds and auth. agree. for Neighbors Building Neighborhoods Program, Tr. letter, 244, Pssd., 246

Approp. funds and auth. agree. for water service replacements, Tr. letter, 244, Pssd., 246

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Approving business programs, Tr. letter, 169, Pssd., 170

Approp. funds for Flower Planting Proj., Tr. letter, 293, Pssd., 294

Auth. amend. 2001-02 Comm. Dev. Program Plan, amending Ord. No. 99-18 and auth. agree. for Zoning Ord. and Map Revision Proj. and auth. agree. for Cascade Historic District street furniture and art, Tr. letter, 297, Pub. hear., 285, Pssd., 298

Approp. funds for Rochester Effectiveness Partnership Proj., Tr. letter, 337, Pssd., 338

Approp. funds for computer training program, Tr. letter, 337, Pssd., 338

COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS

Auth. agree. with Comm. Housing Dev. Organizations and approp. funds, Tr. letter, 22, Pssd., 23

Approp. funds and auth. agree. for CHDO operating assistance, Tr. letter, 220, Pssd., 220

Approp. funds and auth. agree. with Community Housing Dev. Organizations, Tr. letter, 322, Pssd., 323

COMPREHENSIVE PLAN

Amend. Chapter 115 of mun. code, zoning ord., with respect to Comprehensive Plan and official street map, Tr. letter, 77, Pub. hear., 65, Pssd., 81

COMPREHENSIVE YOUTH SERVICES PLAN

Approving appl., agree. and 2001 administrative and program budgets of Rochester-Monroe County Youth Bureau, Tr. letter, 150, Pssd., 151

COMPUTER SUPPORT/TRAINING

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Approp. funds for computer training program, Tr. letter, 337, Pssd., 338

CONCERTS

Establishing \$100,000 as max. compensation for professional svcs. agree. with Rochester Philharmonic Orchestra for public concerts, Tr. letter, 270, Pssd., 270

Establishing \$32,000 as max. compensation for professional svcs. agree. for "Party in the Park" concerts, Tr. letter, 336, Pssd., 336

CONSOLIDATED COMMUNITY DEVELOPMENT PROGRAM

Auth. submission of Consolidated Community Development Program/2001-02 Annual Action Plan and execution of grant agree. with U.S. Dept. of Housing and Urban Development, Tr. letter, 139, Pub. hear., 112, Pssd., 140

Approving Consolidated Community Development Program/2001-02 Annual Action Plan, Tr. letter, 139, Pub. hear., 112, Pssd., 140

Approp. funds for City Development Fund, Tr. letter, 139, Pssd., 140

CONSTELLATION BRANDS, INC.

Auth. agree. for new scoreboard for Blue Cross at the War Memorial and rescinding ord. no. 2000-143, Tr. letter, 262, Pssd., 264

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Amend. 2000-01 Budget, Tr. letter, 257, Pssd., 258

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Reso. approving appointment to Board of Assessment Review, Tr. letter, 303, Adpt. 303

CORBIN

Auth. application and agree. for Center City Signage Proj. and amend. 2000-01 Budget, Tr. letter, 174, Pssd., 175

CORPORATION COUNSEL, COMMUNICATIONS FROM

Settlement of tax assessment proceedings, 65; 333

Amend. mun. code relating to property boundary lines, Tr. letter, 276, Pssd., 277

CORR-TECH ENGINEERING

Establishing \$195,000 as max. compensation for professional svcs. agree. for cathodic protection program for water supply conduits, Tr. letter, 145, Pssd., 145

COSMANO, LONNA

Establishing \$27,000 as max. compensation for professional svcs. agree. for advertising and marketing svcs. for EZ Rider Entertainment Shuttle, Tr. letter, 236, Pssd., 237

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COUNTY OF MONROE/CITY OF ROCHESTER COUNCIL ON DISABLED PERSONS

Amend. Ord. 85-462 to restructure County of Monroe/City of Rochester Council on Disabled Persons, and rename the Council to County of Monroe/City of Rochester Council for People with Disabilities, Tr. letter, 238, Pssd., 240

CREATIVE CITY INITIATIVE

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CREDIT BUREAU OF ROCHESTER

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Establishing \$750,000 as max. compensation for professional svcs. agree. for design svcs. for Chili Ave. improvement proj., Tr. letter, 206, Pssd., 206

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Establishing max. compensation for professional svcs. agree. for planning and engineering svcs. for street improvement proj., Tr. letter, 228, Pssd., 229

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Establishing \$1,370,500 as max. compensation for professional svcs. agree. with Sear Brown Group for environmental remediation of former APCO General Contractor's Site, Tr. letter, 261, Pssd., 261

Bond ord. auth. issuance of \$435,000 bonds to finance additional cost of planning and implementing environmental remediation at former APCO Site located at 79 Woodstock Rd., Tr. letter, 261, Pssd., 262

Establishing \$50,000 as max. compensation for amend. professional svcs. agree. for environmental cleanup of former Phototech Facility, Tr. letter, 264, Pssd., 265

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Establishing \$27,000 as max. compensation for professional svcs. agree. for advertising and marketing svcs. for EZ Rider Entertainment Shuttle, Tr. letter, 236, Pssd., 237

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Establishing \$30,000 as max. compensation for professional svcs. agree. for plan for Genesee Crossroads Parking Garage, Tr. letter, 187, Held, 188

Establishing max. compensation for professional svcs. agree. for constr. resident proj. representation svcs., Tr. letter, 206, Pssd., 207

Establishing \$200,000 as max. compensation for professional svcs. agree. for Brooks Landing Revitalization Proj., Tr. letter, 299, Pssd., 299

Auth. agree. for structural engineering svcs. for bldg. renovation proj., Tr. letter, 307, Pssd., 308

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FISHER ASSOCIATES

Establishing max. compensation for professional svcs. agree. for constr. resident proj. representation svcs., Tr. letter, 206, Pssd., 207

Establishing max. compensation for professional svcs. agree. for planning and engineering svcs. for street improvement proj., Tr. letter, 228, Pssd., 229

FLEET INFORMATION SYSTEM

Establishing \$92,000 as max. compensation for professional svcs. agree. for fleet information system, Tr. letter, 287, Pssd., 287

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Auth. sale of real estate and extending time for Front St. abandonment, Tr. letter, 99, Pssd., 100

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Auth. release of easement on 180 Fulton Ave., Tr. letter, 152, Pssd., 154

Approving acq. of parcels for Fulton Ave. redevelopment proj. by negotiation or condemnation, Tr. letter, 197, Pub. hear., 197, Held 198, Pssd., 243

Bond ord. auth. issuance of \$456,500 bonds to finance portion of costs of acq. and demolition of improvements on designated parcels of real property within the City's Fulton Ave. redevelopment proj., Tr. letter, 197, Held 199, Pssd., 243

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Auth. agree. for 2001 Youth Svcs. Program, Tr. letter, 271, Pssd., 272

GOOD GRADES PAY PROGRAM

Auth. applications and agree. relating to 2001 Good Grades Pay Program, Tr. letter, 132, Pssd., 133

GOODKIND & O'DEA, INC.

Establishing \$144,000 as max. compensation for professional svcs. agree. for design svcs. for Elmwood Ave. Bridge rehabilitation proj., Tr. letter, 4, Pssd., 5

Auth. agree. and appropriating funds for Clifford Ave. improvement proj., Tr. letter, 46, Pssd., 49

Establishing \$750,000 as max. compensation for professional svcs. agree. for design svcs. for Chili Ave. improvement proj., Tr. letter, 206, Pssd., 206

Establishing max. compensation for amend. agree. for design svcs. for Elmwood Ave. Bridge Rehabilitation Proj. and approp. funds, Tr. letter, 226, Pssd., 227

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Auth. agree. with Greater Rochester Housing Partnership, Inc. for housing svcs., Tr. letter, 160, Pssd., 160

GREATER ROCHESTER METRO CHAMBER OF COMMERCE, INC.

Establishing \$50,000 as max. compensation for professional svcs. agree. with Greater Rochester Metro Chamber of Commerce, Inc. for highway beautification proj., Tr. letter, 126, Pssd., 127

GREELEY STREET

Approving change in traffic flow on Greeley St. between Parsells Ave. and Grand Ave. from two-way to one-way southbound, Tr. letter, 89, Pub. hear., 85, Pssd., 91

GRETA PROGRAM

Establishing \$30,000 as max. compensation for professional svcs. agree. with Andrea Whitcomb for continuation of "Greta Program", Tr. letter, 126, Pssd., 126

GRISWOLD, NANCY K., COUNCILWOMAN

Moved to amend Int. No. 130, Adpt., 107

Abstentions, Ord. No. 2001-124, p. 108; Ord. No. 2001-149, p. 133; Ord. No. 2001-155, p. 137

Amend. 2001-02 Budget in regard to Champion Street Demonstration Proj. - \$50,000, Tr. letter, 175, Pssd., 176

Amend. 2001-02 Budget in regard to transportation and job development - \$5,000, Tr. letter, 177, Pssd., 178

Amend. 2001-02 Budget in regard to challenge grant for public library - \$10,000, Tr. letter, 179, Pssd., 179

Amend. 2001-02 Budget in regard to materials for community library - \$20,000, Tr. letter, 181, Pssd., 181

Negative vote, Ord. No. 2001-226, Pssd., 194

GROUP 14621 COMMUNITY ASSOCIATION

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,310,000, Tr. letter, 155, Pssd., 156

Auth. agree. relating to Graffiti Control Program, Tr. letter, 195, Pssd., 196

Auth. agree. for 14621 Community Technology Ctr. Proj., Tr. letter, 222, Pssd., 222

Auth. agree. for human svcs. programs, Tr. letter, 270, Pssd., 271

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HRH RISK MANAGEMENT

Establishing \$195,000 as max. compensation for professional svcs. agree. with HRH Risk management for continued admin. of City's workers' compensation program, Tr. letter, 172, Pssd., 172

HSBC COMMUNITY DEVELOPMENT CORPORATION

Approving 2001 Home Expo Program, Tr. letter, 60, Pssd., 62

HUD

Auth. amend. 1999-2000 and 2000-01 Comm. Dev. Program Plans for float loans and funding for HUD Asset Control Area Partnership Program, auth. agree. and sale of real estate, Tr. letter, 354 of 2000 Council Proceedings, Pssd., 26

Amending Ord. No. 2001-31 regarding HUD Asset Control Area Partnership Program, Tr. letter, 62, Pssd., 62

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

Auth. submission of Consolidated Community Development Program/2001-02 Annual Action Plan and execution of grant agree. with U.S. Dept. of Housing and Urban Development, Tr. letter, 139, Pub. hear., 112, Pssd., 140

Auth. application and agree. for Renewal Community designation, Tr. letter, Pssd., 276

HACKETT, THOMAS

Reso. approving appt. and reappointments to Downtown Enhancement District Advisory Comm., Tr. letter, 66, Adpt., 66

HAGUE STREET

Auth. license for use of space at 160 Hague St., Tr. letter, 18, Pssd., 20

HALLMAN DEVELOPMENT PROJECT

Auth. amend. 1995-96 and 1996-97 Comm. Dev. Program Plans and 1995-96 and 1999-2000 City Development Funds and agree. for Hallman Dev. Proj. and amend. Ord. No. 96-229, Tr. letter, 24, Pub. hear., 1, Pssd., 25

HAMILTON ASSOCIATES

Establishing max. compensation for professional svcs. agree. with Hamilton Associates for psychological evaluation svcs., Tr. letter, 15, Pssd., 16

Establishing max. compensation for amend. professional svcs. agree. with Hamilton Associates for psychological evaluation svcs., Tr. letter, 70, Pssd., 70

Establishing max. compensation for professional svcs. agree. with Hamilton Associates for psychological evaluation svcs., Tr. letter, 210, Pssd., 211

HARTWAY, KARA

Reso. approving appt. to City Planning Comm.,

Tr. letter, 285, Adpt. 285

HATCH, B. JAMES

Establishing max. compensation for amend. professional svcs. agree. for computer support svcs., Tr. letter, Pssd., 72

HAZARDOUS SUBSTANCE INVESTIGATION

Bond ord. auth. issuance of \$457,200 bonds to finance cost of hazardous substances investigation and planning and implementing environmental clean-up at Bureau of Water & Street Lighting at 10 Felix St., Tr. letter, 267, Pssd., 269

HEALTH ASSOCIATION, INC.

Auth. agree. relating to Housing Opportunities for Persons with AIDS Program, Tr. letter, 59, Pssd., 60

Establishing \$30,000 as max. compensation for professional svcs. agree. for Employee Assistance Program, Tr. letter, 113, Pssd., 114

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

Auth. agree. for human svcs. proj., Tr. letter 148, Pssd., 149; Tr. letter, 233, Pssd., 233

HEMLOCK

Establishing \$20,000 as max. compensation for amend. professional svcs. agree. for resid. proj. inspection svcs. for Hemlock Gatehouse tunnel access rehabilitation proj. and amend. 2000-01 Budget, Tr. letter, 2, Pssd., 3

Establishing max. compensation for amendatory professional svcs. agree. with Optimization Technology Inc. for svcs. for Hemlock Filtration Plant, Tr. letter, 311, Pssd., 311

Approving partial assignment of easement for Hemlock Lake water, Tr. letter, 312, Pssd., 313

HERRICK-SAYLOR ENGINEERS, P.C.

Auth. agree. for structural engineering svcs. for bldg. renovation proj., Tr. letter, 307, Pssd., 308

HIGH FALLS

Establishing \$50,000 as max. compensation for professional svcs. agree. for High Falls Film Festival, Tr. letter, page 335 of 2000 Council Proceedings, Tr. letter, 84

Auth. agree. for operation of High Falls Garage, Tr. letter, 172, Pssd., 173

Establishing \$15,000 as max. annual compensation for amend. lease agree. for additional High Falls maintenance svcs., Tr. letter, 281, Pssd., 282

HIGH FALLS DEVELOPMENT CORPORATION

Establishing \$15,000 as max. annual compensation for amend. lease agree. for additional High Falls maintenance svcs., Tr. letter, 281, Pssd., 282

HIGHLAND AVENUE

Auth. pavement width changes on Highland Ave. as part of Highland Ave. improvement proj., Tr. letter, 334, Pub. hear., 333, Held, 335

HIGHWAY BEAUTIFICATION

Establishing \$50,000 as max. compensation for professional svcs. agree. with Greater Rochester Metro Chamber of Commerce, Inc. for highway beautification proj., Tr. letter, 126, Pssd., 127

HILLSIDE AVENUE

Auth. release of easement on 111 Hillside Ave., Tr. letter, 134, Pssd., 136

HILLSIDE CHILDREN'S CENTER

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

HISTORICAL RESOURCES SURVEY

Auth. agree. for Historical Resources Survey and amend. 2000-01 Budget, Tr. letter, 21, Pssd., 22

HOLMDEL PLACE

Abandonment of Holmdel Place, Tr. letter, 300, Pub. hear., 285, Pssd., 301

HOLY REDEEMER

Changing zoning class. of 634 Hudson Ave. from C-2 Community Commercial to PD Planned Development #1-Holy Redeemer (Northside Church Of Christ) and adpt. current plan for PD#1, Tr. letter, 345, Pub. hear., 333, Held, 346

HOME EXPO

Approving 2001 Home Expo Program, Tr. letter, 60, Pssd., 62

Auth. sale of additional parcels for 2001 Home Expo Program, Tr. letter, 134, Pssd., 136

Sale of real estate as part of 2001 Home Expo Program, Tr. letter, 295, Pssd., 296

HOME PROGRAM

Auth. agree. with Comm. Housing Dev. Organizations and approp. funds, Tr. letter, 22, Pssd., 23

Approving Consolidated Community Development Program/2001-02 Annual Action Plan, Tr. letter, 139, Pub. hear., 112, Pssd., 140

Approp. funds and auth. agree. for Rehab Rochester Program, Tr. letter, 293, Pssd., 293

HOME PURCHASE ASSISTANCE PROGRAM

Approp. of funds and auth. agree. for Home Purchase Assist. Program, Tr. letter, 156, Pssd., 157; Tr. letter, 294, Pssd., 295

HOME REOCCUPATION

Approp. funds and auth. agree. for HomeReoccupation/Vacant Grant/Homesteading Programs, Tr. letter, 20, Pssd., 21

Approp. funds and auth. agree. for Home Reoccupation/Vacant Grant/Homesteading Programs - \$300,000, Tr. letter, 293, Pssd., 294

HOME STORE

Auth. agree. for Home Store, Tr. letter, 219, Pssd., 220

HOUSING

Approp. funds and auth. agree. for Rehab Rochester Program, Tr. letter, 20, Pssd., 21

Approp. funds and auth. agree. for HomeReoccupation/Vacant Grant/Homesteading Programs, Tr. letter, 20, Pssd., 21

Approving sale of real estate and funding for dev. of housing, Tr. letter, 58, Pssd., 59

Auth. agree. relating to Housing Opportunities for Persons with AIDS Program, Tr. letter, 59, Pssd., 60

Approving 2001 Home Expo Program, Tr. letter, 60, Pssd., 62

Auth. agree. for Thurston Rd. Housing Proj. and amend. Ord. No. 99-377, Tr. letter, 108, Pssd., 109

Approp. of funds for homeownership program promotion, Tr. letter, 125, Pssd., 125

Auth. sale of additional parcels for 2001 Home Expo Program, Tr. letter, 134, Pssd., 136

Auth. agree. for dev. of affordable housing, Tr. letter, 137, Pssd., 137

Auth. amend. agree. with Housing Council in the Monroe County Area, Inc. for Rehabilitation of Investor Properties Program, Tr. letter, 154, Pssd., 154

Approp. of funds and auth. agree. for Home Purchase Assist. Program, Tr. letter, 156, Pssd., 157; Tr. letter, 294, Pssd., 295

Auth. agree. with Housing Council in the Monroe County Area, Inc. for continued provision of mortgage svcs. - \$225,000, Tr. letter, 157, Pssd., 158

Auth. agree. for housing dev. support - \$210,000, Tr. letter, 159, Pssd., 160

Auth. agree. with Greater Rochester Housing Partnership, Inc. for housing svcs., Tr. letter, 160, Pssd., 160

Approp. funds and auth. agree. for CHDO operating assistance, Tr. letter, 220, Pssd., 220

Auth. agree. with Enterprise Foundation for housing svcs. and amend. Ord. No. 99-228, Tr. letter, 220, Pssd., 221

Auth. agree. for fair housing monitoring svcs., Tr. letter, 275, Pssd., 275

Approp. funds and auth. agree. for housing subsidies, Tr. letter, 275, Pssd., 276

Approp. funds and auth. agree. for Home Reoccupation/Vacant Grant/Homesteading Programs - \$300,000, Tr. letter, 293, Pssd., 294

Approp. funds and auth. agree. with Community Housing Dev. Organizations, Tr. letter, 322, Pssd., 323

Approving acq. of parcels for Atlantic/Woodstock Housing Proj., Tr. letter, 341, Pssd., 342

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Reports of, 17; 55; 72; 99; 134; 151; 216; 240; 273; 292; 319; 341

HOUSING COUNCIL IN THE MONROE COUNTY AREA, INC.

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

Auth. amend. agree. with Housing Council in the Monroe County Area, Inc. for Rehabilitation of Investor Properties Program, Tr. letter, 154, Pssd., 154

Auth. agree. with Housing Council in the Monroe County Area, Inc. for continued provision of mortgage svcs. - \$225,000, Tr. letter, 157, Pssd., 158

Auth. agree. for landlord and tenant svcs. - \$196,000, Tr. letter, 158, Pssd., 158

Auth. agree. for Lending Awareness Svcs., Tr. letter, 294, Pssd., 294

Auth. amend. agree. for continued provision of mortgage svcs. - \$75,000, Tr. letter, 325, Pssd., 326

HOUSING OPPORTUNITIES, INC.

Auth. agree. for housing dev. support - \$210,000, Tr. letter, 159, Pssd., 160

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM

Auth. agree. relating to Housing Opportunities for Persons with AIDS Program, Tr. letter, 59, Pssd., 60

Approving Consolidated Community Development Program/2001-02 Annual Action Plan, Tr. letter, 139, Pub. hear., 112, Pssd., 140

HOWLETT, BRUCE

Auth. lease agree. for materials storage, Tr. letter, 320, Pssd., 322

HUBZONES

Amend. 2001-02 Budget in regard to HUBZones - \$20,000, Tr. letter, 179, Pssd., 179

HUDSON AVENUE

Auth. release of easement on 1500 Hudson Ave., Tr. letter, 241, Pssd., 242

Changing zoning class. of 634 Hudson Ave. from C-2 Community Commercial to PD Planned Development #1-Holy Redeemer (Northside Church Of Christ) and adpt. current plan for PD#1, Tr. letter, 345, Pub. hear., 333, Held, 346

HUMAN RESOURCE MANAGEMENT, BUREAU OF

Amend. 2001-02 Budget in regard to Bureau of Human Resource Management - \$323,000, Tr. letter, 182, Pssd., 183

HUMAN RIGHTS

Letter from José Cruz regarding human rights legislation, 112

Amending mun. code with respect to human rights, Tr. letter, 114, Pssd., 118

Amend. Chapter 63 of mun. code relating to human rights, Tr. letter, 142, No action taken, 143

Amend. 2001-02 Budget in regard to Human Rights Legislation Public Information Campaign - \$30,000, Tr. letter, 178, Pssd., 178

Amend. chapter 63 of mun. code relating to human rights, Tr. letter, 189, Pssd., 190

HUMAN SERVICES PROJECTS

Auth. agree. for human svcs. proj. and amend. 2000-01 Budget, Tr. letter 13, Pssd., 14

Auth. agree. for human svcs. proj., Tr. letter 70, Pssd. 71; Tr. letter, 93, Pssd., 94; Tr. letter, 148, Pssd., 149; Tr. letter, 233, Pssd., 233

Auth. agree. and appropriating funds for human svcs. proj., Tr. letter, 131, Pssd., 131

Auth. agree. for human svcs. programs, Tr. letter, 270, Pssd., 271

Auth. agree. for human svcs. proj. and amending Ord. no. 2001-323, Tr. letter, 315, Pssd., 316

HUMANE SOCIETY OF ROCHESTER AND MONROE COUNTY

Establishing \$42,000 as max. compensation for professional svcs. agree. for veterinary svcs., Tr. letter, 194, Pssd., 195

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IBM CORPORATION

Establishing max. compensation for amend. professional svcs. agree. for New Public Safety Bldg. Proj., Tr. letter, 215, Pssd., 216

IBERO AMERICAN ACTION LEAGUE

Auth. agree. for human svcs. proj. and amend. 2000-01 Budget, Tr. letter 13, Pssd., 14

Auth. agree. for human svcs. proj. and amending Ord. no. 2001-323, Tr. letter, 315, Pssd., 316

IMPERIAL ROCHESTER DEVELOPMENT CORP.

Approving 2001 Home Expo Program, Tr. letter, 60, Pssd., 62

INDUSTRIAL STREET

Amend. legal description of abandonment of

portion of Industrial St., Tr. letter, 227, Pssd., 227

INNER LOOP

Auth. participation in Inner Loop Modifications, Phase II Federal Aid Proj., Tr. letter, 308, Pssd., 309

INSPECTION SERVICES

Auth. agree. with County of Monroe for reimbursement for inspection svcs., Tr. letter, 162, Pssd., 163

INTERMUNICIPAL AGREEMENT

Auth. intermunicipal agree. for Monroe County Storm Water Coalition, Tr. letter, 312, Pssd., 312

INTERNATIONAL TECHNOLOGY CORPORATION

Establishing \$50,000 as max. compensation for amend. professional svcs. agree. for environmental cleanup of former Phototech Facility, Tr. letter, 264, Pssd., 265

IRONDEQUOIT, TOWN OF

Approving sale of Camp Eastman to Town of Irondequoit, Tr. letter, 207, Pssd., 208

ISLA

Auth. agree. for Adopt-A-Block Program, Tr. letter, 75, Pssd., 76

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JENSEN, DONALD, AND ASSOCIATES

Establishing \$20,000 as max. compensation for amend. professional svcs. agree. for Building Renovation Program, Tr. letter, 202, Pssd., 202
Auth. agree. for structural engineering svcs. for bldg. renovation proj., Tr. letter, 307, Pssd., 308

JOB DEVELOPMENT

Amend. 2001-02 Budget in regard to transportation and job development - \$5,000, Tr. letter, 177, Pssd., 178
Amend. proposed 2001-02 Budget in regard to Job Dev. Fund, Tr. letter, 182, Pssd., 182
Amend. proposed 2001-02 Budget in regard to reallocations for job dev. - \$1,450,000, Tr. letter, 188, Failed in committee, 188

JOBS, FINANCE, AND GOVERNANCE COMMITTEE

Reports of, 28; 62; 81; 100; 112; 166; 255; 280; 302; 328; 347

JOINT ENERGY CONSERVATION PROGRAM

Auth. amend. agree. with Action for a Better Community, Inc. for continued administration of Joint Energy Conservation Program - \$90,000, Tr. letter, 155, Pssd., 155

JUNIOR ACHIEVEMENT OF ROCHESTER

Auth. agree. for 2001 Youth Svcs. Program, Tr. letter, 271, Pssd., 272

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KENDRICK ROAD

Auth. changes in pav. width of Lattimore Rd. and Kendrick Rd. as part of Lattimore Rd./Kendrick Rd. improvement proj., Tr. letter, 105, Pub. hear., 86, Pssd., 106
Establishing max. compensation for agree. for resident proj. representation svcs. for Lattimore

Rd./Kendrick Rd. improvement proj., Tr. letter, 208, Pssd., 209

KENWOOD AVENUE

Auth. increase in pav. width of Kenwood Ave., Tr. letter, 130, Pub. hear., 130, Pssd., 130

KING STREET

Auth. lease of parking space at 7.5 King St., Tr. letter, 18, Pssd., 20

KIRKHAVEN PROEJCT

Auth. execution of agree. of cooperation pursuant to Section 37[1](aa) of the Public Housing Law of New York State and approving issuance of bonds for Kirkhaven Proj. by Village of East Rochester Housing Authority in order for interest on bonds to qualify for exemption from Federal income taxation, Tr. letter, 252, Pssd., 253

KODAK PARK AREA

Auth. ext. of time for abandonment of streets in Kodak Park area, Tr. letter, 227, Pssd., 228

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LA AVENIDA PROJECT

Amend. 2001-02 Budget in regard to research for La Avenida Proj. - \$5,000, Tr. letter, 175, Pssd., 175

LABELLA ASSOCIATES

Establishing max. compensation for agree. for River St. improvement proj., approp. funds and amend. Ord. No. 99-245, Tr. letter, 11, Pssd., 12
Establishing max. compensation for agree. for River St./Latta Rd./Lighthouse St. public improvement proj., Tr. letter, 121, Pssd., 124
Establishing \$1,805,000 as max. compensation for amend. professional svcs. agree. for Port of Rochester Harbor Improvement Proj., Tr. letter, 193, Pssd., 194
Establishing \$72,000 as max. compensation for professional svcs. agree. for resident proj. representation svcs. and appropriating anticipated reimbursements from Federal Highway Administration, Tr. letter, 228, Pssd., 228

LABOR NEGOTIATIONS SERVICES

Establishing max. compensation for professional svcs. agree. for labor negotiations svcs., Tr. letter, 30, Pssd., 30
Establishing max. compensation for professional svcs. agree. for labor negotiation svcs., Tr. letter, 347, Pssd., 347

LAKE AVENUE

Auth. realignment of Lake Ave./River St./St. John's Park intersection, Tr. letter, 102, Pub. hear., 86, Pssd., 103
Dedica. of parcel at 4050 Lake Ave. to street purposes and abandoning it for park purposes as part of Lake Ave. improvement proj. and reducing size of parcel at 3917 Lake Ave. dedica. in Ord. No. 2000-41, Tr. letter, 102, Pub. hear., 86, Pssd., 105
LIO voiding LIO No. 1488 establishing cost of special and services related to Lake Ave. Lighting District, Tr. letter, 147, Pssd., 148
Bond ord. auth. issuance of \$418,000 bonds to finance cost of constr. and reconstruction of certain streets related to Lake Ave. pub. improvement proj., Tr. letter, 203, Pssd., 204
Bond ord. auth. issuance of \$1,310,000 bonds to finance cost of constr. and reconstruction of certain water mains related to Lake Ave. pub. improvement proj., Tr. letter, 203, Pssd., 205

Establishing max. compensation for agree. for Lake Ave. pub. improvement proj. and approp. funds, Tr. letter, 203, Pssd., 206

LAMBERTON PARK

Approving acq. of parcels or permanent easements for Troup St., Edgewood and Lamberton Pk. improvement proj. by negotiation or condemnation, Tr. letter, 7, 1, Held, 8, Pssd., 50

Approving dedica. of parcels for Troup St., Edgewood and Lamberton Pk. improvement proj., Tr. letter, 7, Pub. hear. adjourned, 1, Held, 11, Public hear., 39, Pssd., 50

Establishing \$68,700 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Troup St., Lamberton Pk. and Edgewood Pk. pub. improvement proj., Tr. letter, 67, Pssd., 68

LANDLORD AND TENANT SERVICES

Auth. agree. for landlord and tenant svcs. - \$196,000, Tr. letter, 158, Pssd., 158

LANDMARK SOCIETY OF WESTERN NEW YORK, INC.

Auth. agree. for Real Estate Marketing Initiative, Tr. letter, 160, Pssd., 161

LARSEN, RODNEY

Reso. approving appt. and reappointments to Downtown Enhancement District Advisory Comm., Tr. letter, 66, Adpt., 66

LASALLE STREET

Changing zoning class. of 299-341 Whitney St. and 1 LaSalle St. from M Manufacturing Industrial to R-2 Two-Family Residential, Tr. letter, 251, Pub. hear., 224, Pssd., 252

LATTA ROAD

Auth. changes in pav. width of River St., Latta Rd. and Lighthouse St. as part of River St. improvement proj., Tr. letter, 11, Pub. hear., 1, Pssd., 13

Bond ord. auth. issuance of \$75,000 bonds to finance cost of constr. and reconstruction of certain streets related to River St./Latta Rd./Lighthouse St. public improvement proj., Tr. letter, 121, Pssd., 123

Bond ord. auth. issuance of \$140,000 bonds to finance cost of constr. and reconstruction of certain water mains related to River St./Latta Rd./Lighthouse St. public improvement proj., Tr. letter, 121, Pssd., 124

Establishing max. compensation for agree. for River St./Latta Rd./Lighthouse St. public improvement proj., Tr. letter, 121, Pssd., 124

LATTIMORE ROAD

Auth. changes in pav. width of Lattimore Rd. and Kendrick Rd. as part of Lattimore Rd./Kendrick Rd. improvement proj., Tr. letter, 105, Pub. hear., 86, Pssd., 106

LIO for Crittenden Blvd./Lattimore Rd. intersection improvements, Tr. letter, 105, Pub. hear., 86, Pssd., 106

Auth. increase in pav. wid. of Lattimore Rd. as part of Lattimore Rd./Kendrick Rd. improvement proj. and acceptance of easement, Tr. letter, 208, Pub. hear., 197, Pssd., 209

Establishing max. compensation for agree. for resident proj. representation svcs. for Lattimore Rd./Kendrick Rd. improvement proj., Tr. letter, 208, Pssd., 209

LAW DEPARTMENT

Establishing max. compensation for professional

svcs. agree. for litigation svcs., Tr. letter, 329, Pssd., 329

LEAD

Establishing \$13,200 as max. compensation for amendatory professional svcs. agree. with Lead for performance measurement system, Tr. letter, 147, Pssd., 147

LEASE AGREEMENTS

Auth. lease of parking space at 7.5 King St., Tr. letter, 18, Pssd., 20

Auth. lease of space at 232 Mill Street, Tr. letter, 18, Pssd., 20

Auth. lease of space at 304 Andrews St., Tr. letter, 18, Pssd., 20

Auth. lease of space at Temple Bldg., Tr. letter, 55, Pssd., 57

Amend. Ord. No. 2001-62 relating to lease of space at Temple Bldg., Tr. letter, 73, Pssd., 74

Auth. sale of former Michaels-Stern Bldg. and lease of parking lots to City School District, Tr. letter, 221, Pssd., 222

Auth. agree. for fast ferry service to Toronto, lease of terminal bldg. and management of Port of Rochester, Tr. letter, 224, Tabled, 225, Tabled, 259, Pssd., 260

Auth. lease agree. for space in Sister Cities Parking Garage, Tr. letter, 273, Held, 275

Establishing \$15,000 as max. annual compensation for amend. lease agree. for additional High Falls maintenance svcs., Tr. letter, 281, Pssd., 282

Approving lease by Rochester Urban Renewal Agency to Benderson Development Co. of 52 Broadway in Southeast Loop Urban Renewal Proj., NYR-175, Tr. letter, 295, Pub. hear., 285, Pssd., 296

Auth. lease agree. for materials storage, Tr. letter, 320, Pssd., 322

LEGAL AID SOCIETY

Auth. agree. for landlord and tenant svcs. - \$196,000, Tr. letter, 158, Pssd., 158

LENDING AWARENESS SERVICES

Auth. agree. for Lending Awareness Svcs., Tr. letter, 294, Pssd., 294

LEWIS AND SCIO PARK PLAYGROUND

Bond ord. auth. issuance of \$181,500 bonds to finance improvements to Lewis and Scio Park Playground, Tr. letter, 211, Pssd., 212

Establishing \$15,800 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Lewis and Scio Park Playground Improvements Proj., Tr. letter, 211, Pssd., 212

LEWIS STREET CENTER

Auth. agree. for human svcs. programs, Tr. letter, 270, Pssd., 271

LEWIS, THOMAS

Reso. appointing temporary members to Board of Assessment Review, Tr. letter, 30, Adpt., 31

LEXINGTON AVENUE

Auth. participation in Lexington Ave. Federal Aid Proj., Tr. letter, 308, Pssd., 309

LIBRARY

Reso. approving appt. and reappointments to Rochester Pub. Library Board of Trustees, Tr. letter, 23, Adpt., 24

Amend. 2000-01 Budget, Tr. letter, 82, Pssd., 83

Amend. Ord. No. 2000-383 and 2000-01 Budget

for Rochester Public Library, Tr. letter, 165, Pssd., 165

Amend. 2001-02 Budget in regard to challenge grant for public library - \$10,000, Tr. letter, 179, Pssd., 179

Amend. 2001-02 Budget in regard to materials for community library - \$20,000, Tr. letter, 181, Pssd., 181

Approp. funds and auth. agree. for Library Technology and Resource Accessibility Proj. and amend. Ord. No. 2001-223, Tr. letter, 244, Pssd., 246

Amending 2001-02 Budget of Rochester Public Library, Tr. letter, 331, Pssd., 332

LIFE SCIENCE LABORATORIES

Auth. agree. for drinking water testing svcs., Tr. letter, 289, Pssd., 289

LIFESPAN

Auth. agree. for human svcs. programs, Tr. letter, 270, Pssd., 271

LIFT LINE INC.

Establishing \$298,000 as max. compensation for professional svcs. agree. with Lift Line Inc. for operation of EZ Rider Entertainment Shuttle, Tr. letter, 236, Pssd., 237

LIGHTHOUSE STREET

Auth. changes in pav. width of River St., Latta Rd. and Lighthouse St. as part of River St. improvement proj., Tr. letter, 11, Pub. hear., 1, Pssd., 13

Bond ord. auth. issuance of \$75,000 bonds to finance cost of constr. and reconstruction of certain streets related to River St./Latta Rd./Lighthouse St. public improvement proj., Tr. letter, 121, Pssd., 123

Bond ord. auth. issuance of \$140,000 bonds to finance cost of constr. and reconstruction of certain water mains related to River St./Latta Rd./Lighthouse St. public improvement proj., Tr. letter, 121, Pssd., 124

Establishing max. compensation for agree. for River St./Latta Rd./Lighthouse St. public improvement proj., Tr. letter, 121, Pssd., 124

LIGHTING DISTRICTS

LIO establishing cost of special work and svcs. related to Joseph C. Wilson Blvd. Lighting District, Tr. letter, 128, Pssd., 128

LIO establishing cost of special work and svcs. related to Lyell Avenue Lighting District I, Tr. letter, 128, Pub. hear., 112, Pssd., 129

LIO establishing cost of special work and svcs. related to Lyell Avenue Lighting District II, Tr. letter, 128, Pub. hear., 112, Pssd., 129

LIO establishing cost of special work and svcs. related to Monroe Avenue Lighting District I, Tr. letter, 128, Pub. hear., 112, Pssd., 129

LIO establishing cost of special work and svcs. related to Monroe Avenue Lighting District II, Tr. letter, 128, Pub. hear., 112, Pssd., 129

LIO establishing cost of special work and svcs. related to Cascade Historic Lighting District, Tr. letter, 128, Pub. hear., 112, Pssd., 129

LIO establishing cost of special work and svcs. related to Norton Street Lighting District, Tr. letter, 128, Pub. hear., 112, Pssd., 130

LIO establishing cost of special work and svcs. related to Lake Avenue Lighting District, Tr. letter, 128, Pub. hear., 112, Pssd., 130

LIO voiding LIO No. 1488 establishing cost of special and services related to Lake Ave. Lighting District, Tr. letter, 147, Pssd., 148

LITIGATION SERVICES

Establishing max. compensation for professional svcs. agree. for litigation svcs., Tr. letter, 329, Pssd., 329

LOANS

Approving amend. to land use plan of Cultural District to permit new constr. and loan to developer and rescinding Ord. No. 99-230, Tr. letter, 100, Pssd., 101

LOBBYING SERVICES

Establishing \$28,000 as max. compensation for professional svcs. agree. for State lobbying svcs., Tr. letter, 29, Pssd., 30; Tr. letter, 347, Pssd., 348

LOCAL IMPROVEMENT ORDINANCE

1473 - LIO for retention of window wells at 2263-2267 Clifford Ave. as part of Clifford Ave. improvement proj., Tr. letter, 46, Pub. hear., 39, Pssd., 49

1474 - LIO for care and embellishment of var. neighborhood street malls for 2001 - \$76,091.00, Tr. letter, 68, Pub. hear., 65, Pssd., 69

1475 - LIO establishing cost of special work and svcs. related to Main St. improvements, Tr. letter, 89, Pub. hear., 85, Pssd., 89

1476 - LIO for snow removal at the Public market, Tr. letter, 97, Pub. hear., 86, Pssd., 99

1477 - LIO for security at the Public Market, Tr. letter, 97, Pub. hear., 86, Pssd., 99

1478 - LIO for establishment of River St. Neighborhood commercial parking lot, Tr. letter, 102, Pub. hear., 86, Pssd., 104

1479 - LIO for Crittenden Blvd./Lattimore Rd. intersection improvements, Tr. letter, 105, Pub. hear., 86, Pssd., 106

1480 - LIO establishing cost of special work and svcs. related to Downtown Guides and auth. agree., Tr. letter, 121, Pub. hear., 112, Pssd., 121

1481 - LIO establishing cost of special work and svcs. related to Joseph C. Wilson Blvd. Lighting District, Tr. letter, 128, Pub. hear., 112, Pssd., 128

1482 - LIO establishing cost of special work and svcs. related to Lyell Avenue Lighting District I, Tr. letter, 128, Pub. hear., 112, Pssd., 129

1483 - LIO establishing cost of special work and svcs. related to Lyell Avenue Lighting District II, Tr. letter, 128, Pub. hear., 112, Pssd., 129

1484 - LIO establishing cost of special work and svcs. related to Monroe Avenue Lighting District I, Tr. letter, 128, Pub. hear., 112, Pssd., 129

1485 - LIO establishing cost of special work and svcs. related to Monroe Avenue Lighting District II, Tr. letter, 128, Pub. hear., 112, Pssd., 129

1486 - LIO establishing cost of special work and svcs. related to Cascade Historic Lighting District, Tr. letter, 128, Pub. hear., 112, Pssd., 129

1487 - LIO establishing cost of special work and svcs. related to Norton Street Lighting District, Tr. letter, 128, Pub. hear., 112, Pssd., 130

1488 - LIO establishing cost of special work and svcs. related to Lake Avenue Lighting District, Tr. letter, 128, Pub. hear., 112, Pssd., 130

1489 - LIO for continuation of LIO No. 1203 relating to Parker Place residential parking lot, Tr. letter, 137, Pub. hear., 112, Pssd., 138

1490 - LIO establishing operating and maintenance costs of neighborhood commercial or residential parking areas, Tr. letter, 137, Pub. hear., 112, Pssd., 139

1491 - LIO establishing cost of special work and svcs. related to Merchants/Winton Road Open Space District, Tr. letter, 140, Pub. hear., 112, Pssd., 141

1492 - LIO establishing cost of special work and svcs. related to Norton Street Urban Renewal district streetscape features upgrade proj., Tr. letter, 140, Pub. hear., 112, Pssd., 141

1493 - LIO establishing cost of special work and svcs. related to upgrading of landscape features for Cascade Historic District, Tr. letter, 140, Pub. hear., 112, Pssd., 141

1494 - LIO voiding LIO No. 1488 establishing cost of special and services related to Lake Ave. Lighting District, Tr. letter, 147, Pssd., 148

1495 - LIO for street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2001 and expiring June 30, 2002, Tr. letter, 183, Pssd., 186

LOCAL LAW

1 - Local Law amend. City Charter with respect to powers of the Neighborhood Empowerment Team Director, Tr. letter, 72, Pssd., 72

2 - Local Law providing for supplemental pension payments under old City pension plan, Tr. letter, 201, Pssd., 201

3 - Local Law amend. City Charter with respect to salary of Mayor, Tr. letter, 349, Pssd., 350

4 - Local Law amend. City Charter with respect to salary of members of City Council, Tr. letter, 349, Pssd., 350

LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM

Auth. agree. for Local Law Enforcement Block Grant Program and amending ord. No. 2001-278, Tr. letter, 291, Pssd., 292

LOGIC MODEL TRAINING

Approp. funds for Logic Model Training, Tr. letter, 53, Pssd., 53

LOZIER ANALYTICAL GROUP

Auth. agree for materials testing svcs., Tr. letter, 127, Pssd., 128

LU ENGINEERING

Establishing \$129,000 as max. compensation for professional svcs. agree. for asbestos management svcs., Tr. letter, 45, Pssd., 45

LYELL AREA REVITALIZATION COMMITTEE

Auth. agree. for Adopt-A-Block Program, Tr. letter, 75, Pssd., 76

Auth. application and agree. for PAC-TAC Support Proj. and amend. 2001-02 Budget, Tr. letter, 237, Pssd., 238

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MMA CONSULTING GROUP, INC.

Establishing \$37,700 as max. compensation for professional svcs. agree. for fire station location study, Tr. letter, 212, Pssd., 213

MAIN STREET

Establishing \$126,500 as max. compensation for amend. agree. for supplemental environmental investigation - 1200 East Main St., Tr. letter, 88, Pssd., 89

LIO establishing cost of special work and svcs. related to Main St. improvements, Tr. letter, 89, Pub. hear., 85, Pssd., 89

MAINS, TIM O., COUNCILMAN

Negative votes, Motion to discharge Int. No. 455 from comm., Adpt., 25; Motion to discharge Int. No. 442 from comm., Adpt., 37; Ord. No. 2001-39,

Pssd., 39; Ord. No. 2001-126, Pssd., 110; Ord. No. 2001-364, Pssd., 305

Motion to suspend Rules of Council to have Jobs, Finance and Governance Comm. voted on first, Adpt., 112

Motion to amend Int. No. 162, Adpt., 114

Amending mun. code with respect to human rights, Tr. letter, 114, Pssd., 118

Motion to amend Int. No. 214, Adpt., 174

Amend. 2001-02 Budget in regard to Human Rights Legislation Public Information Campaign - \$30,000, Tr. letter, 178, Pssd., 178

Amend. 2001-02 Budget in regard to Monroe Ave. matching grant initiative - \$25,000, Tr. letter, 180, Pssd., 180

Amend. 2001-02 Budget in regard to tree health care - \$30,000, Tr. letter, 181, Pssd., 182

Amend. proposed 2001-02 Budget in regard to Job Dev. Fund, Tr. letter, 182, Pssd., 182

Amend. 2001-02 Budget in regard to Bureau of Human Resource Management - \$323,000, Tr. letter, 182, Pssd., 183

Reso. of budgetary intent - contingency planning regarding New York State Budget, Tr. letter, 183, Adpt., 183

Amend. proposed 2001-02 Budget in regard to EZ Rider - \$375,000, Tr. letter, 188, Failed in committee, 189

Motion to amend Int. No. 305, Adpt., 351

Motion to discharge Int. No. 423 from Committee, Adpt., 351

MANCE, EILEEN M.

Reso. appointing temporary members to Board of Assessment Review, Tr. letter, 30, Adpt., 31

MARKETING DECISION GROUP

Establishing \$27,000 as max. compensation for professional svcs. agree. for advertising and marketing svcs. for EZ Rider Entertainment Shuttle, Tr. letter, 236, Pssd., 237

MARKETVIEW HEIGHTS ASSOCIATION

Auth. agree. for Adopt-A-Lot Program, Tr. letter, 67, Pssd., 67

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,310,000, Tr. letter, 155, Pssd., 156

Auth. agree. relating to Graffiti Control Program, Tr. letter, 195, Pssd., 196

MATERIALS STORAGE

Auth. lease agree. for materials storage, Tr. letter, 320, Pssd., 322

MATERIALS TESTING

Auth. agree for materials testing svcs., Tr. letter, 127, Pssd., 128

MAUSER, RICHARD ALFRED, ARCHITECTS

Establishing \$28,000 as max. compensation for professional svcs. agree. for arch. svcs. for Special Svcs. locker room renovation proj., Tr. letter, 202, Pssd., 203

Establishing \$19,300 as max. compensation for amend. professional svcs. agree. for architectural svcs. for bldg. renovation program, Tr. letter, 265, Pssd., 266

MAYOR, COMMUNICATIONS FROM

Administrative cancellation or refund of erron. taxes and chg., 39; 65; 85; 142; 223; 306; 333

Homesteading lottery, 39

Quarterly reports, 39; 85; 224; 285

Claims report, 65; 306

Police Dept. Professional Standards Section annual report, 85
Public disclosure - CDBG Participation, 142

MCANDREW, PAUL

Reso. approving appt. to Rochester Preservation Board, Tr. letter, 323, Adpt., 323

MCKEVITZ, MARK

Auth. agree. for Historical Resources Survey and amend. 2000-01 Budget, Tr. letter, 21, Pssd., 22

MEDIA OUTREACH CAMPAIGN

Establishing \$20,000 as max. compensation for amend. professional svcs. agree. for Media Outreach Campaign, Tr. letter, 77, Pssd., 77

MEDICAL SERVICES

Establishing \$15,000 as max. compensation for amend. professional svcs. agree. for expert medical svcs., Tr. letter, 82, Pssd., 82
Establishing \$4,500 as max. compensation for amend. professional svcs. agree. for expert medical svcs., Tr. letter, 304, Pssd., 304

MEIGS STREET

Auth. increase in pav. width of Meigs St. for a recessed pick-up/drop-off bus stop zone, Tr. letter, 209, Pub. hear., 197, Pssd., 210

MERCANTILE ADJUSTMENT BUREAU

Auth. collections agree. for Parking Violations Bureau and Municipal Code Violations Bureau, Tr. letter, 303, Pssd., 304

MERCHANTS/WINTON ROAD OPEN SPACE DISTRICT

LIO establishing cost of special work and svcs. related to Merchants/Winton Road Open Space District, Tr. letter, 140, Pub. hear., 112, Pssd., 141

METRICOM, INC.

Approving non-exclusive franchise agree. with Metricom, Inc. for use of public rights-of-way and agree. with County of Monroe, Tr. letter, 84, Pub. hear., 84, Pssd., 85

METROPOLITAN MEDICAL RESPONSE SYSTEM

Auth. amend. agree. with respect to dev. of Metropolitan Medical Response System and amending 2001-02 Budget, Tr. letter, 317, Pssd., 317

METROPOLITAN REFINING COMPANY, INC.

Auth. lease of space at 304 Andrews St., Tr. letter, 18, Pssd., 20

MICHAELS-STERN BUILDING

Auth. sale of former Michaels-Stern Bldg. and lease of parking lots to City School District, Tr. letter, 221, Pssd., 222

MIDDLE DEPARTMENT INSPECTION AGENCY, INC.

Auth. agree. for electrical inspection svcs. and amend. professional svcs. agree. for zoning ord. revision proj., Tr. letter, 57, Pssd., 57

MILL STREET

Auth. lease of space at 232 Mill Street, Tr. letter, 18, Pssd., 20

MILLER STREET

Approving continuation of two-way traffic on Trust St. between Portland Ave. and Miller St. and on Miller St. between Trust St. and Aebersold St. and closure of Miller St. to through traffic, Tr. letter, 190, Pub. hear., 189, Pssd., 191

Approving permanent two-way traffic on Trust St. between Portland Ave. and Miller St. and on Miller St. between Trust St. and Aebersold St. and closure of Miller St. to through traffic, Tr. letter, 269, Pub. hear., 261, Pssd., 270

MONROE AVENUE

Amend. 2001-02 Budget in regard to Monroe Ave. matching grant initiative - \$25,000, Tr. letter, 180, Pssd., 180

Establishing \$25,000 as max. compensation for professional svcs. agree. for street manager for Monroe Ave., Tr. letter, 283, Pssd., 283

MONROE AVENUE MERCHANTS ASSOCIATION

Amend. 2001-02 Budget in regard to Monroe Ave. matching grant initiative - \$25,000, Tr. letter, 180, Pssd., 180

Establishing \$25,000 as max. compensation for professional svcs. agree. for street manager for Monroe Ave., Tr. letter, 283, Pssd., 283

MONROE COMMUNITY COLLEGE

Establishing \$62,000 as max. compensation for professional svcs. agree. with Monroe Community College for AmeriCorps Program, Tr. letter, 133, Pssd., 134

Auth. agree. for National Youth Sports Program Support Proj., Tr. letter, 196, Pssd., 196

Auth. agree. for training of employees of Emergency Communications Dept. and amend. 2001-02 Budget, Tr. Letter, 336, Pssd., 337

MONROE COUNTY

Bond ord. auth. issuance of \$672,000 bonds and application of \$1,356,000 in funds received from County of Monroe and \$910 from Rochester-Genesee Regional Transportation Authority to finance cost of constr. and reconstruction of certain streets related to Browncroft Blvd. and North Winton Rd. improvement proj., Tr. letter, 42, Pssd., 43

Bond ord. auth. issuance of \$736,000 bonds and application of \$2,251,500 received from County of Monroe to finance cost of constr. and reconstruction of certain streets related to Clifford Ave. improvement proj., Tr. letter, 46, Pssd., 47

Auth. agree. with respect to underage alcohol enforcement, Tr. letter, 69, Pssd., 70

Approving non-exclusive franchise agree. with Metricom, Inc. for use of public rights-of-way and agree. with County of Monroe, Tr. letter, 84, Pub. hear., 84, Pssd., 85

Auth. agree. with County of Monroe for funding for police svcs., Tr. letter, 94, Pssd., 95

Auth. agree. with respect to underage tobacco enforcement, Tr. letter, 149, Pssd., 150

Auth. agree. with County of Monroe for reimbursement for inspection svcs., Tr. letter, 162, Pssd., 163

Auth. intermunicipal agree. for Monroe County Storm Water Coalition, Tr. letter, 312, Pssd., 312

MONROE COUNTY LEGAL ASSISTANCE CORPORATION

Auth. agree. for landlord and tenant svcs. - \$196,000, Tr. letter, 158, Pssd., 158

MONROE COUNTY MANUFACTURING PARTNERSHIP

Auth. agree. for human svcs. proj., Tr. letter, 93, Pssd., 94

MONTGOMERY NEIGHBORHOOD CENTER

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,310,000, Tr. letter, 155, Pssd., 156

MORAN STREET

Changing zoning class. of 98 and 104 Ardmore St. and 24 Moran St. from R-2 Two Family Residential to IPD#10 and amend. current plan for IPD#10, Tr. letter 278, Pub. hear., 261, Pssd., 280

MORSE, THOMAS

Reso. approving appt. to Zoning Board of Appeals, Tr. letter, 60, Adpt., 60

MORTGAGE SERVICES

Auth. amend. agree. for continued provision of mortgage svcs. - \$75,000, Tr. letter, 325, Pssd., 326

MORTIMER STREET PARKING GARAGE

Auth. agree. for operation of Mortimer St. Parking Garage, Tr. letter, 333 of 2000 Council Proceedings, Pssd., 36

MOVE MANAGEMENT SERVICES

Establishing max. compensation for professional svcs. agree. for move management svcs. for new Public Safety Bldg., Tr. letter, 215, Pssd., 216

MUNICIPAL CODE

Amend. mun. code with respect to hours of operation of solicitors and comm. travelers, Tr. letter, 26, Held, 27

Amend. mun. code with respect to required training for holders of certain City certificates and licenses, Tr. letter, 26, Held, 28

Amend. City code to adopt guidelines for wage rates for employees of companies awarded service contracts and business assist., Tr. letter, 31, Pssd., 35

Amend. mun. code with respect to control of dogs, Tr. letter, 362 of 2000 Council Proceedings, Pssd., 39

Amend. Chapter 115 of mun. code, zoning ord., with respect to Comprehensive Plan and official street map, Tr. letter, 77, Pub. hear., 65, Pssd., 81

Amend. mun. code with respect to advertisements on bus shelters, Tr. letter, 110, Pssd., 111

Amend. Chapter 63 of mun. code relating to human rights, Tr. letter, 142, No action taken, 143

Amend. Section 52-5 of mun. code, Procedure for Enforcement, with respect to issuance of immediate tickets for commercial activities in violation of zoning ord., Tr. letter, 165, Held, 166

Amend. mun. code with respect to wholesale water rates and hydrant use permit fees, Tr. letter, 183, Pssd., 187

Amend. chapter 63 of mun. code relating to human rights, Tr. letter, 189, Pssd., 190

Amend. mun. code relating to property boundary lines, Tr. letter, 253, Held, 254

Amend. mun. code with respect to cemetery fees, Tr. letter, 266, Pssd., 267

Amend. mun. code relating to property boundary lines, Tr. letter, 276, Pssd., 277

Amend. Chapter 98 of mun. code, Sexually Oriented Business, Tr. letter, 342, Pssd., 344

Amend. mun. code with respect to judicial review of decisions of Municipal Code Violations

Bureau, Tr. letter, 344, Pssd., 345

MUNICIPAL CODE VIOLATIONS BUREAU

Auth. collections agree. for Parking Violations Bureau and Municipal Code Violations Bureau, Tr. letter, 303, Pssd., 304

Amend. mun. code with respect to judicial review of decisions of Municipal Code Violations Bureau, Tr. letter, 344, Pssd., 345

MURRAY STREET

Accepting donations of 547-549 Brown St. and 339 Murray St., Tr. letter, 320, Pssd., 322

MUSICFEST

Establishing max. compensation for booking agree. for 2001 MusicFest, Tr. letter, 53, Pssd., 54

Establishing max. compensation for sponsorship solicitation agree. for 2001 MusicFest, Tr. letter, 53, Pssd., 54

Establishing \$23,500 as max. compensation for professional svcs. agree. for Rhythm Nights Concert Series and MusicFest Week Gospel Concert and amend. Ord. No. 2001-59, Tr. letter, 107, Pssd., 107

Establishing max. compensation for agree. for 2002 MusicFest, Tr. letter, 335, Pssd., 336

Establishing max. compensation for sponsorship solicitation agree. for 2002 MusicFest, Tr. letter, 335, Pssd., 336

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NATIONAL YOUTH SPORTS PROGRAM SUPPORT PROJECT

Auth. agree. for National Youth Sports Program Support Proj., Tr. letter, 196, Pssd., 196

NEIGHBORHOOD BEAUTIFICATION

Approp. funds for neighborhood beautification on Webster Ave., Tr. letter, 244, Pssd., 246

NEIGHBORHOOD EMPOWERMENT TEAM

Acceptance of Toy Library grant and amend. 2000-01 Budget for NET, Tr. letter, 70, Pssd., 70

Establishing \$16,935 as max. compensation for professional svcs. agree. for NET Report to the Community, Tr. letter, 71, Pssd., 72

Local Law amend. City Charter with respect to powers of the Neighborhood Empowerment Team Director, Tr. letter, 72, Pssd., 72

Amend. 2000-01 Budget, Tr. letter, 82, Pssd., 83

NEIGHBORHOOD HOUSING SERVICES

Auth. agree. with Neighborhood Housing Svcs., Tr. letter, 218, Pssd., 219

NEIGHBORHOOD INITIATIVE GRANTS

Auth. agree. for Neighborhood Initiative Grants, Tr. letter, 20, Pssd., 21

NEIGHBORS BUILDING NEIGHBORHOODS PROGRAM

Appropriating funds and auth. agree. for Neighbors Building Neighborhoods Program, Tr. letter, 244, Pssd., 246

NEIGHBORS SHOPPING NEIGHBORHOODS

Auth. amend. 1995-96 Comm. Dev. Program Plan and approp. funds for Neighbors Shopping Neighborhoods Program, Tr. letter, 247, Pub. hear., 224, Pssd., 249

NELSON STREET

Accepting donation of real estate, Tr. letter, 99, Pssd., 100; Tr. letter, 134, Pssd., 136

NEW YORK BOARD OF FIRE UNDERWRITERS

Auth. agree. for electrical inspection svcs. and amend. professional svcs. agree. for zoning ord. revision proj., Tr. letter, 57, Pssd., 57

NEW YORK STATE

Auth. agree. with respect to underage alcohol enforcement, Tr. letter, 69, Pssd., 70

Reso. of budgetary intent - contingency planning regarding New York State Budget, Tr. letter, 183, Adpt., 183

NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENT

Determining and certifying current base proportions, current percentages, and base percentages for 2001 assessment roll, Tr. letter, 119, Pssd., 119

NEW YORK STATE BOARD OF REAL PROPERTY SERVICES

Determining and certifying adjusted base proportions, assessed value, and net changes in assessed value for 2001 assessment roll, Tr. letter, 119, Pssd., 119

NEW YORK STATE CRIME VICTIMS BOARD

Auth. application and agree. for funding from New York State Crime Victims Board, Tr. letter, 131, Pssd., 132

NEW YORK STATE DEPARTMENT OF EDUCATION

Auth. appl. and agree. for 2001 Summer Food Service Program, Tr. letter, 92, Pssd., 93

NEW YORK STATE DEPARTMENT OF STATE

Auth. applications and agree. for grant funds, Tr. letter, 231, Pssd., 232

NEW YORK STATE DEPARTMENT OF TRANSPORTATION

Auth. agree. with New York State Dept. of Transportation for snow removal, Tr. letter, 40, Pssd., 40; Tr. letter, 264, Pssd., 264

Approp. funds for Outer Loop Industrial Subdivision infrastructure proj., Tr. letter, 118, Pssd., 119

NEW YORK STATE EMPIRE ZONE

Amending descriptions of New York State Empire Zone, Tr. letter, 119, Pssd., 120; Tr. letter, 256, Pssd., 256

NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES

Auth. agree. for Adolescent Pregnancy Prevention Svcs. Program, Tr. letter, 108, Pssd., 108

NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

Auth. applications and agree. for grant funds, Tr. letter, 231, Pssd., 232

NEW YORK STATE POWER AUTHORITY

Auth. agree. for energy savings program, Tr. letter, 313, Pssd., 314

NEWPORT ALLIANCE FOR BUSINESS HEALTH

Establishing max. compensation for professional svcs. agree. for continued administration of Drug Testing Program, Tr. letter, 109, Pssd., 110

Establishing max. compensation for amendatory professional svcs. agree. for continued administration of Drug Testing Program, Tr. letter, 305, Pssd., 305; Tr. letter, 348, Pssd., 349

NONPROFIT WORKS, INC.

Establishing max. compensation for professional svcs. agree. for svcs. as grant writer for Rochester Cemeteries heritage Foundation and amend. 2000-01 Budget and auth. agree. options, Tr. letter, 14, Pssd., 15

NORTH EAST AREA DEVELOPMENT

Auth. agree. for tool lending library, Tr. letter, 154, Pssd., 155

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,310,000, Tr. letter, 155, Pssd., 156

Auth. agree. relating to Graffiti Control Program, Tr. letter, 195, Pssd., 196

NORTH EAST BLOCK CLUB ALLIANCE

Auth. agree. for Adopt-A-Lot Program, Tr. letter, 67, Pssd., 67

Auth. agree. for Adopt-A-Block Program, Tr. letter, 75, Pssd., 76

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,310,000, Tr. letter, 155, Pssd., 156

Auth. agree. relating to Graffiti Control Program, Tr. letter, 195, Pssd., 196

NORTHEAST NEIGHBORHOOD ALLIANCE

Auth. agree. and appropriating funds for human svcs. proj., Tr. letter, 131, Pssd., 131

NORTH CLINTON AVENUE

Establishing \$30,000 as max. compensation for professional svcs. agree. for North Clinton Ave. Neighborhood Commercial Revitalization Proj., Tr. letter, 161, Pub. hear., 251, Pssd., 162

NORTH GOODMAN STREET

Changing zoning class. of 893 North Goodman St. from R-2 Two-Family Residential to C-1 Neighborhood Commercial, Tr. letter, 251, Pub. hear., 224, Pssd., 251

NORTHWEST COMMUNITY SERVICES

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,310,000, Tr. letter, 155, Pssd., 156

Auth. agree. relating to Graffiti Control Program, Tr. letter, 195, Pssd., 196

NORTON STREET URBAN RENEWAL DISTRICT

LIO establishing cost of special work and svcs. related to Norton Street Urban Renewal district streetscape features upgrade proj., Tr. letter, 140, Pub. hear., 112, Pssd., 141

NORWOOD, WADE S., COUNCILMAN

Motion to discharge Int. no. 455 from comm., Adpt., 25

Amend. proposed auth. amend. 1999-2000 and 2000-01 Comm. Dev. Program Plans for float loans and funding for HUD Asset control Area Partnership Program, auth. agree. and sale of real estate, Adpt., 25

Moved to have Int. No. 84 and 85 discharged from comm., Adpt., 74

Amending mun. code with respect to human

rights, Tr. letter, 114, Pssd., 118
 Moved to amend, Int. No. 151, Adpt., 135; Int. No., Adpt., 153, Int. No. 228, Adpt., 13; Int. No. 254, Adpt., 221; Int. No. 289, Adpt., 241; Int. No. 298, Adpt., 247; Int. No. 309, Adpt., 248; Int. No. 299, Pssd., 251
 Amend. 2001-02 Budget in regard to Champion Street Demonstration Proj. - \$50,000, Tr. letter, 175, Pssd., 176
 Amend. 2001-02 Budget in regard to matching grant for docking facilities - \$15,000, Tr. letter, 177, Pssd., 177
 Amend. 2001-02 Budget in regard to HUBZones - \$20,000, Tr. letter, 179, Pssd., 179
 Amend. 2001-02 Budget in regard to overtime for board-ups of vacant buildings - \$29,800, Tr. letter, 180, Pssd., 181
 Moved to return Int. No. 340 to Committee, Adpt., 278
 Moved to return Int. No. 384 to Committee, Adpt., 302

NOTHNAGLE DRILLING

Auth. agree for materials testing svcs., Tr. letter, 127, Pssd., 128

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OFFICER ASSISTANCE PROGRAM

Establishing \$51,550 as max. compensation for professional svcs. agree. for Officer Assistance Program, Tr. letter, 214, Pssd., 215

OFFICIAL MAP

Amend. Chapter 115 of mun. code, zoning ord., with respect to Comprehensive Plan and official street map, Tr. letter, 77, Pub. hear., 65, Pssd., 81

OPTIMATION TECHNOLOGY INC.

Establishing max. compensation for amendatory professional svcs. agree. with Optimation Technology Inc. for svcs. for Hemlock Filtration Plant, Tr. letter, 311, Pssd., 311

ORDINANCES AMENDED

Establishing max. compensation for agree. for River St. improvement proj., approp. funds and amend. Ord. No. 99-245, Tr. letter, 11, Pssd., 12
 Auth. amend. 1995-96 and 1996-97 Comm. Dev. Program Plans and 1995-96 and 1999-2000 City Development Funds and agree. for Hallman Dev. Proj. and amend. Ord. No. 96-229, Tr. letter, 24, Pub. hear., 1, Pssd., 25
 Auth. sale of real estate and amend. Ord. No. 2000-163, Tr. letter, 55, Pssd., 56
 Amending Ord. No. 2001-31 regarding HUD Asset Control Area Partnership Program, Tr. letter, 62, Pssd., 62
 Auth. amend. 1995-96 and 1996-97 Community Dev. Program Plans, amend. ord. and approp. funds for Commercial Loan Program, Tr. letter, 64, Pub. hear., 39, Pssd., 65
 Amend. Ord. No. 2001-62 relating to lease of space at Temple Bldg., Tr. letter, 73, Pssd., 74
 Establishing \$23,500 as max. compensation for professional svcs. agree. for Rhythm Nights Concert Series and MusicFest Week Gospel Concert and amend. Ord. No. 2001-59, Tr. letter, 107, Pssd., 107
 Auth. agree. for Thurston Rd. Housing Proj. and amend. Ord. No. 99-377, Tr. letter, 108, Pssd., 109
 Amend. Ord. No. 2000-383 and 2000-01 Budget for Rochester Public Library, Tr. letter, 165, Pssd., 165
 Auth. amend. 1995-96, 1996-97, 1997-98,

1998-99 and 1999-2000 Community Dev. Program Plans, amend. ordinances and funding for Center City Design District Proj., Tr. letter, 165, Pub. hear., 142, Pssd., 166

Establishing max. compensation for professional svcs. agree. with Deloitte & Touche, LLP for audit svcs. for street proj. and amend. Ord. No. 2001-70 relating to claim voucher system, Tr. letter, 173, Pssd., 174

Auth. agree. with Enterprise Foundation for housing svcs. and amend. Ord. No. 99-228, Tr. letter, 220, Pssd., 221

Amend. Ord. 85-462 to restructure County of Monroe/City of Rochester Council on Disabled Persons, and rename the Council to County of Monroe/City of Rochester Council for People with Disabilities, Tr. letter, 238, Pssd., 240

Approp. funds and auth. agree. for Library Technology and Resource Accessibility Proj. and amend. Ord. No. 2001-223, Tr. letter, 244, Pssd., 246

Auth. amend. 1995-96, 1996-97 and 1997-98 Comm. Dev. Program Plans and approp. funds for Business Association Support Program and amend. Ord. no. 97-222, Tr. letter, 247, Pub. hear., 224, Pssd., 248

Auth. amend. 1995-96 and 1996-97 Comm. Dev. Program Plans and agree. for Central Park Café and amend. Ord. no. 95-399 and 96-190, Tr. letter, 250, Pub. hear., 224, Pssd., 251

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Auth. sale of real estate and amend. Ord. No. 2000-59, 2001-283 and 2001-286, Tr. letter, 273, Pssd., 274

Auth. agree. for Local Law Enforcement Block Grant Program and amending ord. No. 2001-278, Tr. letter, 291, Pssd., 292

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Establishing max. compensation for professional svcs. agree. for proj. management and resident proj. representation svcs., Tr. letter, 206, Pssd., 207

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Establishing max. compensation for amend. professional svcs. agree. for proj. management svcs. for New Public Safety Bldg., Tr. letter, 215, Pssd., 216

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Bond ord. auth. issuance of \$375,000 bonds to finance cost of acq. of certain parcels of land for pub. and City School District parking, Tr. letter, 73, Pssd., 75

Approving acq. of parcels for Fulton Ave. redevelopment proj. by negotiation or condemnation, Tr. letter, 197, Pub. hear., 197, Held 198, Pssd., 243

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Approving acq. of parcels for Project Turnaround Challenged Street Program by negotiation or condemnation, Tr. letter, 199, Pub. hear., 197, Held, 199, Pssd., 244

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Dedica. of parcel to street purposes as part of Parkdale Terr. proj., Tr. letter, 91, Pub. hear., 86, Pssd., 92

Dedica. of parcel at 4050 Lake Ave. to street purposes and abandoning it for park purposes as part of Lake Ave. improvement proj. and reducing size of parcel at 3917 Lake Ave. dedica. in Ord. No. 2000-41, Tr. letter, 102, Pub. hear., 86, Pssd., 105

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Approving sale of real estate and funding for dev. of housing, Tr. letter, 58, Pssd., 59

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Auth. sale of real estate and granting easements for Western Expressway Improvement Proj., Tr. letter, 320, Pssd., 322

Approval of sale of land in 14621 Industrial Park to Excel Realty LLC, Tr. letter, 326, Pub. hear., 306, Pssd., 327

Auth. sale of real estate for Zweigle's, Inc. Dev. Proj., Tr. letter, 329, Pssd., 330

Approval of sale of land in 14621 Industrial Park to Abbec, Inc., Tr. letter, 351, Pub. hear., 333, Held, 352

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Establishing \$20,000 as max. compensation

for amend. professional svcs. agree. for resid. proj. inspection svcs. for Hemlock Gatehouse tunnel access rehabilitation proj. and amend. 2000-01 Budget, Tr. letter, 2, Pssd., 3

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Establishing \$26,800 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Pennsylvania Ave. imp. proj., Tr. letter, 40, Pssd., 41

Establishing \$46,400 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Public Market improvement program, Tr. letter, 51, Pssd., 53

Establishing \$68,700 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Troup St., Lamberton Pk. and Edgewood Pk. pub. improvement proj., Tr. letter, 67, Pssd., 68

Establishing \$29,000 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Baden Park Playground improvements proj., Tr. letter, 96, Pssd., 97

Establishing max. compensation for professional svcs. agree. for constr. resident proj. representation svcs., Tr. letter, 206, Pssd., 207

Establishing max. compensation for professional svcs. agree. for proj. management and resident proj. representation svcs., Tr. letter, 206, Pssd., 207

Establishing max. compensation for agree. for resident proj. representation svcs. for Lattimore Rd./Kendrick Rd. improvement proj., Tr. letter, 208, Pssd., 209

Establishing \$15,800 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Lewis and Scio Park Playground Improvements Proj., Tr. letter, 211, Pssd., 212

Establishing \$72,000 as max. compensation for professional svcs. agree. for resident proj. representation svcs. and appropriating anticipated reimbursements from Federal Highway Administration, Tr. letter, 228, Pssd., 228

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2001-4 - Reso. approving appt. to Zoning Board of Appeals, Tr. letter, 60, Adpt., 60

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2001-7 - Reso. of budgetary intent - contingency planning regarding New York State Budget, Tr. letter, 183, Adpt., 183

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2001-12 - Reso. approving appointment to Rochester Preservation Board, Tr. letter, 249, Adpt., 249

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2001-14 - Reso. approving appointment to City Planning Commission, Tr. letter, 276, Adpt., 276

2001-15 - Reso. extending policy for sale of City-owned real property to tax exempt organizations, Tr. letter, 276, Adpt., 278

2001-16 - Reso. approving appointments to City Planning Comm., Tr. letter, 285, Adpt., 285

2001-17 - Reso. approving appointment to Board of Assessment Review, Tr. letter, 303, Adpt. 303

2001-18 - Reso. approving appointment to Rochester Preservation Board, Tr. letter, 323, Adpt. 323

RETIREMENT

Providing benefits of Section 384-e of Retirement and Social Security Law to Fire Dept. members, Tr. letter, 17, Pssd., 17

REVOLVING LOAN FUND

Auth. agree. with Neighborhood Housing Svcs., Tr. letter, 218, Pssd., 219

RHYTHM NIGHTS

Establishing \$23,500 as max. compensation for professional svcs. agree. for Rhythm Nights Concert Series and MusicFest Week Gospel Concert and amend. Ord. No. 2001-59, Tr. letter, 107, Pssd., 107

RIGHTS-OF-WAY

Approving non-exclusive franchise agree. with Metricom, Inc. for use of public rights-of-way and agree. with County of Monroe, Tr. letter, 84, Pub. hear., 84, Pssd., 85

RIVER STREET

Establishing max. compensation for agree. for River St. improvement proj., approp. funds and amend. Ord. No. 99-245, Tr. letter, 11, Pssd., 12

Auth. changes in pav. width of River St., Latta Rd. and Lighthouse St. as part of River St. improvement proj., Tr. letter, 11, Pub. hear., 1, Pssd., 13

Auth. realignment of Lake Ave./River St./St. John's Park intersection, Tr. letter, 102, Pub. hear., 86, Pssd., 103

LIO for establishment of River St. Neighborhood commercial parking lot, Tr. letter, 102, Pub. hear., 86, Pssd., 104

Bond ord. auth. issuance of \$75,000 bonds to finance cost of constr. and reconstruction of certain streets related to River St./Latta Rd./Lighthouse St. public improvement proj., Tr. letter, 121, Pssd., 123

Bond ord. auth. issuance of \$140,000 bonds to finance cost of constr. and reconstruction of certain water mains related to River St./Latta Rd./Lighthouse St. public improvement proj., Tr. letter, 121, Pssd., 124

Establishing max. compensation for agree. for River St./Latta Rd./Lighthouse St. public improvement proj., Tr. letter, 121, Pssd., 124

ROBINSON, BRUCE E., INC.

Establishing \$24,000 as max. compensation for professional svcs. agree. for forest resource management svcs., Tr. letter, 144, Pssd., 144

ROBINSON, PAMELA

Reso. appointing temporary members to Board of Assessment Review, Tr. letter, 30, Adpt., 31

ROCHESTER 2010: THE RENAISSANCE PLAN

Establishing max. compensation for professional svcs. agree. for implementation of Arts & Culture Campaign of Rochester 2010: The Renaissance Plan, Tr. letter, 323, Pssd., 324

ROCHESTER AMERICANS HOCKEY CLUB

Auth. agree. for new scoreboard for Blue Cross at the War Memorial and rescinding ord. no. 2000-143, Tr. letter, 262, Pssd., 264

ROCHESTER AREA COMMUNITY FOUNDATION

Auth. agree. for human svcs. proj., Tr. letter 70, Pssd. 71

ROCHESTER BROADWAY THEATRE LEAGUE

Establishing max. compensation for booking agree. for 2001 MusicFest, Tr. letter, 53, Pssd., 54

Auth. agree. for 2001 Youth Svcs. Program, Tr. letter, 271, Pssd., 272

Establishing max. compensation for agree. for 2002 MusicFest, Tr. letter, 335, Pssd., 336

ROCHESTER CEMETERIES HERITAGE FOUNDATION

Establishing max. compensation for professional svcs. agree. for svcs. as grant writer for Rochester Cemeteries heritage Foundation and amend. 2000-01 Budget and auth. agree. options, Tr. letter, 14, Pssd., 15

Approving agree. for cemetery svcs. and amend. 2000-01 Budget, Tr. letter, 41, Pssd., 42

ROCHESTER EFFECTIVENESS PARTNERSHIP PROJECT

Approp. funds for Rochester Effectiveness Partnership Proj., Tr. letter, 337, Pssd., 338

ROCHESTER ENVIRONMENTAL COMMISSION

Reso. approving appt. to Rochester Environmental Comm., Tr. letter, 222, Adpt., 223

ROCHESTER FIRE FIGHTERS ASSOCIATION, INC.

Providing benefits of Section 384-e of Retirement and Social Security Law to Fire Dept. members, Tr. letter, 17, Pssd., 17

ROCHESTER-GENESEE REGIONAL TRANSPORTATION AUTHORITY

Bond ord. auth. issuance of \$672,000 bonds and application of \$1,356,000 in funds received from County of Monroe and \$910 from Rochester-Genesee Regional Transportation Authority to finance cost of constr. and reconstruction of certain streets related to Browncroft Blvd. and North Winton Rd. improvement proj., Tr. letter, 42, Pssd., 43

Auth. agree. with Rochester-Genesee Regional Transportation Authority for Access-To-Jobs, Tr. letter, 76, Pssd., 77

Amend. mun. code with respect to advertisements on bus shelters, Tr. letter, 110, Pssd., 111

Authorizing agree. for advertisements on bus shelters, Tr. letter, 110, Pssd., 111

ROCHESTER GRANTMAKERS FORUM

Auth. agree. for human svcs. proj. and amend. 2000-01 Budget, Tr. letter 13, Pssd., 14

ROCHESTER HOUSING AUTHORITY

Accepting donation of real estate, Tr. letter, 99, Pssd., 100

ROCHESTER HOUSING DEVELOPMENT FUND CORPORATION

Amending Ord. No. 2001-31 regarding HUD Asset Control Area Partnership Program, Tr. letter, 62, Pssd., 62

ROCHESTER LANDSCAPE TECHNICIANS

Auth. applications and agree. relating to 2001 Good Grades Pay Program, Tr. letter, 132, Pssd., 133

ROCHESTER/MONROE COUNTY FREEDOM TRAIL COMMISSION

Establishing \$25,000 as max. compensation for agree. with Rochester/Monroe County Freedom Trail Comm., Tr. letter, 95, Pssd., 96

ROCHESTER-MONROE COUNTY YOUTH BUREAU

Approving appl., agree. and 2001 administrative and program budgets of Rochester-Monroe County Youth Bureau, Tr. letter, 150, Pssd., 151

ROCHESTER PHILHARMONIC ORCHESTRA

Establishing \$100,000 as max. compensation for professional svcs. agree. with Rochester Philharmonic Orchestra for public concerts, Tr. letter, 270, Pssd., 270

ROCHESTER PRESERVATION BOARD

Reso. approving appt. to Rochester Preservation Board, Tr. letter, 163, Adpt., 163; Tr. letter, 249, Adpt., 249; Tr. letter, 259, Adpt., 260; Tr. letter, 323, Adpt., 323

ROCHESTER PUBLIC LIBRARY BOARD OF TRUSTEES

Reso. approving appt. and reappointments to Rochester Pub. Library Board of Trustees, Tr. letter, 23, Adpt., 24

ROCHESTER SCIENCE PARK

Amend. Development Concept Plan for Rochester Science Park, MIPD District #2, to allow biotechnology uses, Tr. letter, 258, Pub. hear., 224, Pssd., 259

ROCHESTER STEP-OFF EDUCATIONAL FOUNDATION

Auth. agree. for human svcs. programs, Tr. letter, 270, Pssd., 271

ROCHESTER URBAN RENEWAL AGENCY

Approving lease by Rochester Urban Renewal Agency to Benderson Development Co. of 52 Broadway in Southeast Loop Urban Renewal Proj., NYR-175, Tr. letter, 295, Pub. hear., 285, Pssd., 296

RURAL METRO MEDICAL SERVICES

Auth. amend. agree. with Rural Metro Medical Svcs. for continued provision of emergency ambulance svcs., Tr. letter, 1, Pssd., 2; Tr. letter, 109, Pssd., 109; Tr. letter, 201, Pssd., 201; Tr. letter, 286, Pssd., 286

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SEA ENGINEERS

Establishing max. compensation for professional svcs. agree. for constr. resident proj. representation svcs., Tr. letter, 206, Pssd., 207

SMG, INC.

Auth. agree. for new scoreboard for Blue Cross at the War Memorial and rescinding ord. no. 2000-143, Tr. letter, 262, Pssd., 264

ST. JOHN'S PARK

Auth. realignment of Lake Ave./River St./St. John's Park intersection, Tr. letter, 102, Pub. hear., 86, Pssd., 103

ST. MARTIN'S PLACE

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

ST. MARY'S CHURCH

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

SANTIAGO, GLADYS, COUNCILWOMAN

Amend. 2001-02 Budget in regard to research for La Avenida Proj. - \$5,000, Tr. letter, 175, Pssd., 175

Amend. 2001-02 Budget in regard to impact of closing of Genesee Hospital - \$20,000, Tr. letter, 176, Pssd., 176

Amend. City Code and proposed 2001-02 Budget in regard to compensation for election inspectors - \$7,500, Tr. letter, 176, Pssd., 177

Amend. 2001-02 Budget in regard to transportation and job development - \$5,000, Tr. letter, 177, Pssd., 178

Amend. 2001-02 Budget in regard to Human Rights Legislation Public Information Campaign - \$30,000, Tr. letter, 178, Pssd., 178

Abstention, Ord. No. 2001-258, p. 220; Ord. No. 2001-380, p. 316

Submits petition from Randolph St. neighborhood residents requesting traffic study, 285

SANTIAGO, RAMON

President Giess spoke in memory of Ramon Santiago, 352

SAPHAR AND ASSOCIATES, INC.

Establishing \$20,000 as max. compensation for amend. professional svcs. agree. for Media Outreach Campaign, Tr. letter, 77, Pssd., 77

SCHOOL BUILDINGS

Bond ord. auth. issuance of \$25,000,500 bonds to finance cost of constr. and renovation of var. pub. school bldgs., Tr. letter, 36, Pssd., 37

SCIENCE PARKWAY

Amending descriptions of New York State Empire Zone, Tr. letter, 119, Pssd., 120

SCIENTIFIC LINKAGES IN THE COMMUNITY

Auth. agree. for 2001 Youth Svcs. Program, Tr. letter, 271, Pssd., 272

SEAR BROWN GROUP

Establishing \$26,800 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Pennsylvania Ave. imp. proj., Tr. letter, 40, Pssd., 41

Auth. agree. and approp. funds for Browncroft Blvd. and North Winton Rd. improvement proj., Tr. letter, 42, Pssd., 45

Establishing \$46,400 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Public Market improvement program, Tr. letter, 51, Pssd., 53

Establishing \$29,000 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Baden Park Playground improvements proj., Tr. letter, 96, Pssd., 97

Establishing max. compensation for agree. for Lake Ave. pub. improvement proj. and approp. funds, Tr. letter, 203, Pssd., 206

Establishing \$15,800 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Lewis and Scio Park Playground Improvements Proj., Tr. letter, 211, Pssd., 212

Establishing \$133,500 as max. compensation for professional svcs. agree. with Sear Brown Group for environmental remediation of former APCO General Contractor's Site, Tr. letter, 229, Pssd., 230

Establishing \$1,370,500 as max. compensation for professional svcs. agree. with Sear Brown Group for environmental remediation of former APCO General Contractor's Site, Tr. letter, 261, Pssd., 261

SEAT BELT ENFORCEMENT

Auth. an application and agree. with respect to seat belt enforcement and amending 2001-02 Budget, Tr. letter, 316, Pssd., 316

SECURITY

LIO for security at the Public Market, Tr. letter, 97, Pub. hear., 86, Pssd., 99

Amend. proposed 2001-02 Budget in regard to park security personnel - \$20,000, Tr. letter, 178, Pssd., 178

Establishing max. compensation for professional svcs. agree. for security enhancements for City Hall, Tr. letter, 333, Pssd., 334

SERVICE LEARNING INSTITUTE OF ROCHESTER

Auth. agree. for Service Learning Institute of Rochester, Tr. letter, 284, Pssd., 284

SEXUALLY ORIENTED BUSINESS

Amend. Chapter 98 of mun. code, Sexually Oriented Business, Tr. letter, 342, Pssd., 344

SIDEWALKS

LIO for street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2001 and expiring June 30, 2002, Tr. letter, 183, Pssd., 186

SIGNAGE

Auth. participation in Center City Signage Federal Aid Proj., Tr. letter, 308, Pssd., 309

SISTER CITIES PARKING GARAGE

Auth. lease agree. for space in Sister Cities Parking Garage, Tr. letter, 273, Held, 275

SKWARA, JOSEPH

Reso. approving appt. to Rochester Preservation Board, Tr. letter, 163, Adpt., 163

SMITH, PETER J.

Establishing \$86,300 as max. compensation for professional svcs. agree. for design standards for zoning map and ord. update proj. and amending 2000-01 budget, Tr. letter, 124, Pssd., 125

SNOW REMOVAL

Auth. agree. with New York State Dept. of

Transportation for snow removal, Tr. letter, 40, Pssd., 40; Tr. letter, 264, Pssd., 264

LIO for snow removal at the Public market, Tr. letter, 97, Pub. hear., 86, Pssd., 99

LIO for street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2001 and expiring June 30, 2002, Tr. letter, 183, Pssd., 186

SOCIAL SECURITY

Providing benefits of Section 384-e of Retirement and Social Security Law to Fire Dept. members, Tr. letter, 17, Pssd., 17

SOCIETY FOR THE PROTECTION AND CARE OF CHILDREN

Auth. agree. for 2001 Youth Svs. Program, Tr. letter, 271, Pssd., 272

SOJOURNER HOUSE

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

SOLICITORS

Amend. mun. code with respect to hours of operation of solicitors and comm. travelers, Tr. letter, 26, Held, 27

SOURCE ONE MARKETING COMMUNICATIONS

Establishing max. compensation for sponsorship solicitation agree. for 2001 MusicFest, Tr. letter, 53, Pssd., 54

Establishing max. compensation for sponsorship solicitation agree. for 2002 MusicFest, Tr. letter, 335, Pssd., 336

SOUTH AVENUE PARKING GARAGE

Auth. agree. for operation of South Ave. Parking Garage, Tr. letter, 81, Pssd., 82

SOUTH EAST AREA COALITION

Auth. agree. for Adopt-A-Block Program, Tr. letter, 75, Pssd., 76

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,310,000, Tr. letter, 155, Pssd., 156

SOUTH WEDGE PLANNING COMMITTEE

Auth. agree. for Adopt-A-Block Program, Tr. letter, 75, Pssd., 76

Auth. agree. with neighborhood organizations for admin. of resi. assist. program - \$1,310,000, Tr. letter, 155, Pssd., 156

SOUTH WEST AREA DEVELOPMENT CORPORATION

Auth. agree. with Comm. Housing Dev. Organizations and approp. funds, Tr. letter, 22, Pssd., 23

SOUTHEAST ECUMENICAL MINISTRY

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

SOUTHWEST AREA NEIGHBORHOOD ASSOCIATION

Auth. agree. for Adopt-A-Lot Program, Tr. letter, 67, Pssd., 67

Auth. agree. for Adopt-A-Block Program, Tr. letter, 75, Pssd., 76

Auth. agree. relating to Graffiti Control Program, Tr. letter, 195, Pssd., 196

Auth. agree. for Dubois Urban Youth Training Proj., Tr. letter, 290, Pssd., 291

SPANISH ACTION COALITION

Auth. agree. for landlord and tenant svcs. - \$196,000, Tr. letter, 158, Pssd., 158

SPEEDWELL CONSTRUCTION SERVICES, INC.

Approving 2001 Home Expo Program, Tr. letter, 60, Pssd., 62

SPRAGUE, ROSEMARIE

Reso. approving appt. and reappointments to Downtown Enhancement District Advisory Comm., Tr. letter, 66, Adpt., 66

STATE UNIVERSITY OF NEW YORK AT BUFFALO

Auth. application and agree. for truancy program and amending 2000-01 budget, Tr. letter, 131, Pssd., 132

STEVENSON, ROBERT J., COUNCILMAN

Motion to amend Int. No. 125, Adpt., 103

Amend. proposed 2001-02 Budget in regard to park security personnel - \$20,000, Tr. letter, 178, Pssd., 178

Amend. 2001-02 Budget in regard to Spanish translation - \$5,000, Tr. letter, 179, Pssd., 180

Submit petition from Old Mt. Read Blvd. residents requesting no parking signage, 306

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STILLSON STREET

Abandonment of portion of Stillson St. and sale of real estate, Tr. letter, 192, Pub. hear., 189, Held, 192

STREET(S)

Auth. changes in pav. wid. of Dewey Ave. for recessed zone at DePaul Adult Care Facil. south of Emerson St., Tr. letter, 5, Public hear., 1, Pssd., 6

Auth. changes in pav. wid. of Primrose St. and Flower City Pk. as part of Primrose St. improvement proj., Tr. letter, 5, Public hear., Pssd., 6

Auth. changes in pav. wid. of Culver Rd. and Empire Blvd. as part of Clifford Ave. improvement proj., Tr. letter, 7, public hear., 1, Pssd., 7

Approving acq. of easements for Clifford Ave. pub. improvement proj. by negotiation or condemnation, Tr. letter, 6, Pssd., 7

Approving acq. of parcels or permanent easements for Troup St., Edgewood and Lamberton Pk. improvement proj. by negotiation or condemnation, Tr. letter, 7, Held, 8

Approving dedica. of parcels for Troup St., Edgewood and Lamberton Pk. improvement proj., Tr. letter, 7, Pub. hear. adjourned, 1, Held, 11, Public hear., 39, Pssd., 50

Establishing max. compensation for agree. for River St. improvement proj., approp. funds and amend. Ord. No. 99-245, Tr. letter, 11, Pssd., 12

Auth. changes in pav. width of River St., Latta Rd. and Lighthouse St. as part of River St. improvement proj., Tr. letter, 11, Pub. hear., 1, Pssd., 13

Renaming Bronson Ave. as Dr. Samuel McCree Way, Tr. letter, 25, Pub. hear., 1, Pssd., 25

Establishing \$26,800 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Pennsylvania Ave. imp. proj., Tr. letter, 40, Pssd., 41

Bond ord. auth. issuance of \$672,000 bonds and application of \$1,356,000 in funds received from County of Monroe and \$910 from Rochester-Genesee Regional Transportation Authority to finance cost of constr. and reconstruction of certain streets

related to Browncroft Blvd. and North Winton Rd. improvement proj., Tr. letter, 42, Pssd., 43

Auth. agree. and approp. funds for Browncroft Blvd. and North Winton Rd. improvement proj., Tr. letter, 42, Pssd., 45

Bond ord. auth. issuance of \$736,000 bonds and application of \$2,251,500 received from County of Monroe to finance cost of constr. and reconstruction of certain streets related to Clifford Ave. improvement proj., Tr. letter, 46, Pssd., 47

LIO for retention of window wells at 2263-2267 Clifford Ave. as part of Clifford Ave. improvement proj., Tr. letter, 46, Pub. hear., 39, Pssd., 49

Auth. agree. and appropriating funds for Clifford Ave. improvement proj., Tr. letter, 46, Pssd., 49

Establishing \$68,700 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Troup St., Lamberton Pk. and Edgewood Pk. pub. improvement proj., Tr. letter, 67, Pssd., 68

Auth. changes in pav. width of Parsells Ave. as part of Parsells Ave. neighborhood traffic calming proj., Tr. letter, 89, Pub. hear., 85, Pssd., 91

Approving change in traffic flow on Greeley St. between Parsells Ave. and Grand Ave. from two-way to one-way southbound, Tr. letter, 89, Pub. hear., 85, Pssd., 91

Auth. increase in pav. width of Parkdale Terr., Tr. letter, 91, Pub. hear., 85, Pssd., 91

Dedica. of parcel to street purposes as part of Parkdale Terr. proj., Tr. letter, 91, Pub. hear., 86, Pssd., 92

Auth. realignment of Lake Ave./River St./St. John's Park intersection, Tr. letter, 102, Pub. hear., 86, Pssd., 103

Dedica. of parcel at 4050 Lake Ave. to street purposes and abandoning it for park purposes as part of Lake Ave. improvement proj. and reducing size of parcel at 3917 Lake Ave. dedica. in Ord. No. 2000-41, Tr. letter, 102, Pub. hear., 86, Pssd., 105

Auth. changes in pav. width of Lattimore Rd. and Kendrick Rd. as part of Lattimore Rd./Kendrick Rd. improvement proj., Tr. letter, 105, Pub. hear., 86, Pssd., 106

LIO for Crittenden Blvd./Lattimore Rd. intersection improvements, Tr. letter, 105, Pub. hear., 86, Pssd., 106

Bond ord. auth. issuance of \$75,000 bonds to finance cost of constr. and reconstruction of certain streets related to River St./Latta Rd./Lighthouse St. public improvement proj., Tr. letter, 121, Pssd., 123

Auth. increase in pav. width of Kenwood Ave., Tr. letter, 130, Pub. hear., 130, Pssd., 130

Establishing max. compensation for professional svcs. agree. with Deloitte & Touche, LLP for audit svcs. for street proj. and amend. Ord. No. 2001-70 relating to claim voucher system, Tr. letter, 173, Pssd., 174

LIO for street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2001 and expiring June 30, 2002, Tr. letter, 183, Pssd., 186

Abandonment of portion of Stillson St. and sale of real estate, Tr. letter, 192, Pub. hear., 189, Held, 192

Auth. increase in pav. width of Beach Ave., Tr. letter, 193, Pub. hear., 189, Pssd., 193

Bond ord. auth. issuance of \$418,000 bonds to finance cost of constr. and reconstruction of certain streets related to Lake Ave. pub. improvement proj., Tr. letter, 203, Pssd., 204

Establishing \$750,000 as max. compensation for professional svcs. agree. for design svcs. for Chili Ave. improvement proj., Tr. letter, 206, Pssd., 206

Auth. increase in pav. wid. of Lattimore Rd. as part of Lattimore Rd./Kendrick Rd. improvement proj. and acceptance of easement, Tr. letter, 208, Pub. hear., 197, Pssd., 209

Establishing max. compensation for agree. for resident proj. representation svcs. for Lattimore Rd./Kendrick Rd. improvement proj., Tr. letter, 208, Pssd., 209

Auth. increase in pav. width of Meigs St. for a recessed pick-up/drop-off bus stop zone, Tr. letter, 209, Pub. hear., 197, Pssd., 210

Amend. legal description of abandonment of portion of Industrial St., Tr. letter, 227, Pssd., 227

Auth. ext. of time for abandonment of streets in Kodak Park area, Tr. letter, 227, Pssd., 228

Establishing max. compensation for professional svcs. agree. for planning and engineering svcs. for street improvement proj., Tr. letter, 228, Pssd., 229

Reestablishing one-way northbound traffic on Beacon St., Tr. letter, 269, Pub. hear., 261, Pssd., 269

Approving permanent two-way traffic on Trust St. between Portland Ave. and Miller St. and on Miller St. between Trust St. and Aebersold St. and closure of Miller St. to through traffic, Tr. letter, 269, Pub. hear., 261, Pssd., 270

Auth. participation in West Ridge Rd. improvement proj., Tr. letter, 287, Pssd., 288

Approving closure of Bell Alley to vehicular traffic and maintenance as pedestrian walkway, Tr. letter, 289, Pub. hear., 285, Pssd., 290

Bond ord. auth. issuance of \$200,000 bonds to finance cost of engineering, planning, design and proj. inspection svcs. for certain street improvements related to Brooks Landing Revitalization Proj., Tr. letter, 299, Pssd., 300

Abandonment of Holmdel Place, Tr. letter, 300, Pub. hear., 285, Pssd., 301

Auth. participation in Lexington Ave. Federal Aid Proj., Tr. letter, 308, Pssd., 309

Auth. participation in Inner Loop Modifications, Phase II Federal Aid Proj., Tr. letter, 308, Pssd., 309

Establishing \$25,000 as max. compensation for professional svcs. agree. for appraisal svcs. for West Ridge Rd. Proj. and auth. City responsibility for maintenance of water facilities, Tr. letter, 309, Pssd., 310

Establishing \$50,000 as max. compensation for professional svcs. agree. for 2002 Curb Replacement Program, Tr. letter, 314, Pssd., 314

Auth. sale of real estate and granting easements for Western Expressway Improvement Proj., Tr. letter, 320, Pssd., 322

Auth. pavement width changes on Highland Ave. as part of Highland Ave. improvement proj., Tr. letter, 334, Pub. hear., 333, Held, 335

STREET MALLS

1474 - LIO for care and embellishment of var. neighborhood street malls for 2001 - \$76,091.00, Tr. letter, 68, Pub. hear., 65, Pssd., 69

STRUCTURAL ENGINEERING

Auth. agree. for structural engineering svcs. for bldg. renovation proj., Tr. letter, 307, Pssd., 308

SUMMER FOOD SERVICE PROGRAM

Auth. appl. and agree. for 2001 Summer Food Service Program, Tr. letter, 92, Pssd., 93

SUSAN B. ANTHONY HOUSE, INC.

Auth. lease of parking space at 7.5 King St., Tr. letter, 18, Pssd., 20

SYBRON INTERNATIONAL CORPORATION

Auth. license for use of space at 160 Hague St.,
Tr. letter, 18, Pssd., 20

SYSTEMS DEVELOPMENT GROUP, INC.

Establishing \$42,000 as max. compensation for
professional svcs. agree. for claim voucher system,
Tr. letter, 63, Pssd., 63

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Approving apportionment of taxes and charges,
Tr. letter, 113, Pssd., 113

Levying taxes for mun. purposes for fiscal year
commencing July 1, 2001 and expiring June 30,
2002, Tr. letter, 183, Pssd., 186

Levying taxes for school purposes for fiscal
year commencing July 1, 2001 and expiring June
30, 2002, Tr. letter, 183, Pssd., 186

Confirming assessments, amounts and charges
to be inserted in annual tax rolls for fiscal year
commencing July 1, 2001 and expiring June 30,
2002, Tr. letter, 183, Pssd., 187

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Cancellation of taxes and charges, Tr. letter, 28,
Pssd., 28; Tr. letter, 62, Pssd., 63; Tr. letter, 101,
Pssd., 102; Tr. letter, 168, Pssd., 168; Tr. letter, 255,
Pssd., 256; Tr. letter, 280, Pssd., 281; Tr. letter, 303,
Pssd., 303; Tr. letter, 328, Pssd., 329

Auth. Director of Finance to cancel real property
taxes or charges of \$1,000 or less, Tr. letter, 28,
Pssd., 29

TECHNICAL ASSISTANCE AND CONSULTING PROGRAM

Auth. agree. with Urban League of Rochester,
N.Y., Inc. to administer Technical Assistance and
Consulting Program, Tr. letter, 191, Pssd., 192

TEEN PREGNANCY PREVENTION

Auth. amend. agree. with respect to teen preg-
nancy prevention, Tr. letter, 214, Pssd., 214

Auth. agree. with respect to Teen Pregnancy
Prevention and amending 2001-02 Budget, Tr.
letter, 318, Pssd., 319

TELECOMMUNICATIONS/TELEPHONE

Establishing \$102,126 as max. compensation for
professional svcs. agree. for 911 Center telephone
systems, Tr. letter, 234, Pssd., 234

Establishing \$277,500 as max. compensation
for professional svcs. agree. with RC Hawaii Ltd.
for telecommunications svcs., Tr. letter, 283, Pssd.,
284

TEMPLE BUILDING

Auth. lease of space at Temple Bldg., Tr. letter,
55, Pssd., 57

Amend. Ord. No. 2001-62 relating to lease of
space at Temple Bldg., Tr. letter, 73, Pssd., 74

TEMPORARY TECHNICAL PERSONNEL

Establishing max. compensation for professional
svcs. agree. for temporary technical personnel, Tr.
letter, 313, Pssd., 313

THRESHOLD CENTER FOR ALTERNATIVE YOUTH SERVICES

Auth. agree. for Adolescent Pregnancy Preven-
tion Svcs. Program, Tr. letter, 108, Pssd., 108

Auth. agree. for human svcs. programs, Tr. letter,
270, Pssd., 271

THOMPSON, TONY M., COUNCILMAN

Moved to have Int. No. 6 and 7 discharged from
comm., Adpt., 49

Motion to amend Int. No. 6, Adpt., 49

Amend. City Code and proposed 2001-02
Budget in regard to compensation for election
inspectors - \$7,500, Tr. letter, 176, Pssd., 177

Amend. 2001-02 Budget in regard to matching
grant for docking facilities - \$15,000, Tr. letter,
177, Pssd., 177

Amend. 2001-02 Budget in regard to materials
for community library - \$20,000, Tr. letter, 181,
Pssd., 181

THURSTON ROAD HOUSING DEVELOPMENT FUND COMPANY, INC.

Auth. agree. for Thurston Rd. Housing Proj.
and amend. Ord. No. 99-377, Tr. letter, 108, Pssd.,
109

TOBACCO

Auth. agree. with respect to underage tobacco
enforcement, Tr. letter, 149, Pssd., 150

TOGETHERNESS IN LOVE COMMUNITY

Auth. application and agree. relating to Emer-
gency Shelter Grant Program, Tr. letter, 136, Pssd.,
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TOOL LENDING LIBRARY

Auth. agree. for tool lending library, Tr. letter,
154, Pssd., 155

TOY LIBRARY

Acceptance of Toy Library grant and amend.
2000-01 Budget for NET, Tr. letter, 70, Pssd., 70

TRAFFIC

Auth. changes in pav. width of Parsells Ave. as
part of Parsells Ave. neighborhood traffic calming
proj., Tr. letter, 89, Pub. hear., 85, Pssd., 91

Acceptance of permanent easement for Parsells
Ave. neighborhood traffic calming proj., Tr. letter,
89, Pssd., 91

Approving change in traffic flow on Greeley St.
between Parsells Ave. and Grand Ave. from two-
way to one-way southbound, Tr. letter, 89, Pub.
hear., 85, Pssd., 91

Approving continuation of two-way traffic on
Trust St. between Portland Ave. and Miller St. and
on Miller St. between Trust St. and Aebersold St.
and closure of Miller St. to through traffic, Tr. letter,
190, Pub. hear., 189, Pssd., 191

Reestablishing one-way northbound traffic on
Beacon St., Tr. letter, 269, Pub. hear., 261, Pssd.,
269

Approving permanent two-way traffic on Trust
St. between Portland Ave. and Miller St. and on
Miller St. between Trust St. and Aebersold St. and
closure of Miller St. to through traffic, Tr. letter,
269, Pub. hear., 261, Pssd., 270

TRANSLATION

Amend. 2001-02 Budget in regard to Spanish
translation - \$5,000, Tr. letter, 179, Pssd., 180

TRANSPORTATION

Amend. 2001-02 Budget in regard to transporta-
tion and job development - \$5,000, Tr. letter, 177,
Pssd., 178

TREES

Amend. 2001-02 Budget in regard to tree health
care - \$30,000, Tr. letter, 181, Pssd., 182

TROUP STREET

Approving acq. of parcels or permanent easements for Troup St., Edgewood and Lamberton Pk. improvement proj. by negotiation or condemnation, Tr. letter, 7, 1, Held, 8, Pssd., 50

Approving dedica. of parcels for Troup St., Edgewood and Lamberton Pk. improvement proj., Tr. letter, 7, Pub. hear. adjourned, 1, Held, 11, Public hear., 39, Pssd., 50

Establishing \$68,700 as max. compensation for professional svcs. agree. for resident proj. representation svcs. for Troup St., Lamberton Pk. and Edgewood Pk. pub. improvement proj., Tr. letter, 67, Pssd., 68

TRUANCY PROGRAM

Auth. application and agree. for truancy program and amending 2000-01 budget, Tr. letter, 131, Pssd., 132

TRUST STREET

Approving continuation of two-way traffic on Trust St. between Portland Ave. and Miller St. and on Miller St. between Trust St. and Aebersold St. and closure of Miller St. to through traffic, Tr. letter, 190, Pub. hear., 189, Pssd., 191

Approving permanent two-way traffic on Trust St. between Portland Ave. and Miller St. and on Miller St. between Trust St. and Aebersold St. and closure of Miller St. to through traffic, Tr. letter, 269, Pub. hear., 261, Pssd., 270

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UNDERAGE ALCOHOL ENFORCEMENT

Auth. agree. with respect to underage alcohol enforcement, Tr. letter, 69, Pssd., 70

UNDERWOOD, JUSTIN

Reso. appointing temporary members to Board of Assessment Review, Tr. letter, 30, Adpt., 31

UNITED STATES DEPARTMENT OF JUSTICE

Auth. agree. for Weed & Seed Program, Tr. letter, 192, Pssd., 193; Tr. letter, 319, Pssd., 319

UNITED STATES FEDERAL HIGHWAY ADMINISTRATION

Establishing \$72,000 as max. compensation for professional svcs. agree. for resident proj. representation svcs. and appropriating anticipated reimbursements from Federal Highway Administration, Tr. letter, 228, Pssd., 228

UNITED WAY SERVICES CORPORATION

Auth. agree. for human svcs. proj., Tr. letter 70, Pssd. 71

UNIVERSITY AVENUE

Establishing \$96,000 as max. compensation for professional svcs. agree. for design and constr. inspection svcs. for University Ave. ArtWalk proj. and amend. Ord. no. 2000-194, Tr. letter, 45, Pssd., 46

Changing zoning class. of 1505 University Ave. from H-4 Medium High Historic to IPD#4-Valley Manor and of 1570 East Ave. from H-4/O-IPD#4 to IPD#4 and amend. current plan for IPD#4, Tr. letter, 163, Pub. hear., 142, Pssd., 165

Acceptance of permanent easements for University Ave. ArtWalk Proj., Tr. letter, 225, Pssd., 226

UNIVERSITY OF ROCHESTER

Acceptance of easements from University of Rochester, Tr. letter, 105, Pssd., 106

Establishing \$51,550 as max. compensation for professional svcs. agree. for Officer Assistance

Program, Tr. letter, 214, Pssd., 215

Establishing max. compensation for professional svcs. agree. for counseling and stress management svcs., Tr. letter, 317, Pssd., 318

Auth. agree. with respect to Teen Pregnancy Prevention and amending 2001-02 Budget, Tr. letter, 318, Pssd., 319

UP ALL NIGHT

Establishing \$32,000 as max. compensation for professional svcs. agree. for "Party in the Park" concerts, Tr. letter, 336, Pssd., 336

UPPER FALLS BOULEVARD

Changing zoning class. of 618 Upper Falls Blvd. from R-3 Low-Medium Residential to C-2 Community Commercial, Tr. letter, 301, Pub. hear., 285, Held, 302

URBAN DEVELOPMENT ACTION GRANT

Approving Consolidated Community Development Program/2001-02 Annual Action Plan, Tr. letter, 139, Pub. hear., 112, Pssd., 140

URBAN LEAGUE OF ROCHESTER ECONOMIC DEVELOPMENT CORPORATION

Approving 2001 Home Expo Program, Tr. letter, 60, Pssd., 62

Auth. agree. for Home Store, Tr. letter, 219, Pssd., 220

URBAN LEAGUE OF ROCHESTER, N.Y., INC.

Auth. agree. for Adolescent Pregnancy Prevention Svcs. Program, Tr. letter, 108, Pssd., 108

Auth. agree. for housing dev. support - \$210,000, Tr. letter, 159, Pssd., 160

Auth. agree. with Urban League of Rochester, N.Y., Inc. to administer Technical Assistance and Consulting Program, Tr. letter, 191, Pssd., 192

Approp. funds and auth. agree. for Library Technology and Resource Accessibility Proj. and amend. Ord. No. 2001-223, Tr. letter, 244, Pssd., 246

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VACANT BUILDINGS

Amend. 2001-02 Budget in regard to overtime for board-ups of vacant buildings - \$29,800, Tr. letter, 180, Pssd., 181

VALLEY MANOR PROJECT

Auth. execution of agree. of cooperation pursuant to Section 37[1](aa) of the Public Housing Law of New York State and approving issuance of bonds for Valley Manor Proj. by Village of East Rochester Housing Authority in order for interest on bonds to qualify for exemption from Federal income taxation, Tr. letter, 252, Pssd., 253

VAN DER HORST

Auth. agree for materials testing svcs., Tr. letter, 127, Pssd., 128

VETERANS OUTREACH CENTER

Auth. agree. and appropriating funds for human svcs. proj., Tr. letter, 131, Pssd., 131

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

VETERINARY SERVICES

Establishing max. compensation for professional svcs. agree. with Pittsford Animal Hospital for veterinary svcs., Tr. letter, 16, Pssd., 16

Establishing \$42,000 as max. compensation

for professional svcs. agree. for veterinary svcs., Tr. letter, 194, Pssd., 195

VILLAGE OF EAST ROCHESTER HOUSING AUTHORITY

Auth. execution of agree. of cooperation pursuant to Section 37(1)(aa) of the Public Housing Law of New York State and approving issuance of bonds for Valley Manor Proj. by Village of East Rochester Housing Authority in order for interest on bonds to qualify for exemption from Federal income taxation, Tr. letter, 252, Pssd., 253

Auth. execution of agree. of cooperation pursuant to Section 37(1)(aa) of the Public Housing Law of New York State and approving issuance of bonds for Kirkhaven Proj. by Village of East Rochester Housing Authority in order for interest on bonds to qualify for exemption from Federal income taxation, Tr. letter, 252, Pssd., 253

VOLUNTEERS OF AMERICA

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

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WXXI PUBLIC BROADCASTING

Establishing max. compensation for professional svcs. agree. with WXXI Public Broadcasting for City 12, Tr. letter, 361 of 2000 Council Proceedings, Pssd., 64

Establishing max. compensation for professional svcs. agreement with WXXI Public Broadcasting for City 12, Tr. letter, 258, Held, 259; Pssd., 351

WAGES

Amend. City code to adopt guidelines for wage rates for employees of companies awarded service contracts and business assist., Tr. letter, 31, Pssd., 35

Amend. 2001-02 Budget in regard to overtime for board-ups of vacant buildings - \$29,800, Tr. letter, 180, Pssd., 181

WALLACE, ELIZABETH A.

Reso. approving appointment to Rochester Preservation Board, Tr. letter, 249, Adpt., 249

WARE, JOE A.

Reso. appointing temporary members to Board of Assessment Review, Tr. letter, 30, Adpt., 31

WATER

Establishing \$20,000 as max. compensation for amend. professional svcs. agree. for resid. proj. inspection svcs. for Hemlock Gatehouse tunnel access rehabilitation proj. and amend. 2000-01 Budget, Tr. letter, 2, Pssd., 3

Approving acq. of temporary easements for water conduit replacement, Tr. letter, 55, Pssd., 56

Establishing \$195,000 as max. compensation for professional svcs. agree. for cathodic protection program for water supply conduits, Tr. letter, 145, Pssd., 145

Bond ord. auth. issuance of \$195,000 bonds to finance cost of design of initial phase of cathodic protection program for water supply conduits and inspection of existing conduits within the City, Tr. letter, 145, Pssd., 146

Amend. mun. code with respect to wholesale water rates and hydrant use permit fees, Tr. letter, 183, Pssd., 187

Approp. funds and auth. agree. for water service

replacements, Tr. letter, 244, Pssd., 246

Auth. agree. for drinking water testing svcs., Tr. letter, 289, Pssd., 289

Establishing \$25,000 as max. compensation for professional svcs. agree. for appraisal svcs. for West Ridge Rd. Proj. and auth. City responsibility for maintenance of water facilities, Tr. letter, 309, Pssd., 310

Establishing max. compensation for amendatory professional svcs. agree. with Optimization Technology Inc. for svcs. for Hemlock Filtration Plant, Tr. letter, 311, Pssd., 311

Auth. intermunicipal agree. for Monroe County Storm Water Coalition, Tr. letter, 312, Pssd., 312

Approving partial assignment of easement for Hemlock Lake water, Tr. letter, 312, Pssd., 313

WATER & LIGHTING BUREAU

Bond ord. auth. issuance of \$457,200 bonds to finance cost of hazardous substances investigation and planning and implementing environmental clean-up at Bureau of Water & Street Lighting at 10 Felix St., Tr. letter, 267, Pssd., 269

WATER MAIN(S)

Bond ord. auth. issuance of \$589,000 bonds to finance cost of constr. and reconstruction of certain water mains related to Browncroft Blvd. and North Winton Rd. improvement proj., Tr. letter, 42, Pssd., 44

Bond ord. auth. issuance of \$536,000 bonds to finance cost of constr. and reconstruction of certain water mains related to Clifford Ave. improvement proj., Tr. letter, 46, Pssd., 48

Bond ord. auth. issuance of \$1,211,000 bonds to finance reconstruction of various water mains, Tr. letter, 86, Pssd., 87

Bond ord. auth. issuance of \$140,000 bonds to finance cost of constr. and reconstruction of certain water mains related to River St./Latta Rd./Light-house St. public improvement proj., Tr. letter, 121, Pssd., 124

Bond ord. auth. issuance of \$1,310,000 bonds to finance cost of constr. and reconstruction of certain water mains related to Lake Ave. pub. improvement proj., Tr. letter, 203, Pssd., 205

Bond ord. auth. issuance of \$800,000 bonds to finance cost of constr. and reconstruction of certain water mains related to West Ridge Rd. improvement proj., Tr. letter, 287, Pssd., 289

WATSON, DAVID

Reso. approving appt. to City Planning Comm., Tr. letter, 276, Adpt., 276

WEBSTER AVENUE

Approp. funds for neighborhood beautification on Webster Ave., Tr. letter, 244, Pssd., 246

WEED & SEED PROGRAM

Auth. agree. for Weed & Seed Program, Tr. letter, 192, Pssd., 193; Tr. letter, 319, Pssd., 319

WEST MAIN BUSINESS ASSOCIATION

Auth. agree. for Adopt-A-Block Program, Tr. letter, 75, Pssd., 76

WEST RIDGE ROAD

Auth. participation in West Ridge Rd. improvement proj., Tr. letter, 287, Pssd., 288

Establishing \$25,000 as max. compensation for professional svcs. agree. for appraisal svcs. for West Ridge Rd. Proj. and auth. City responsibility for maintenance of water facilities, Tr. letter, 309, Pssd., 310

WESTERN EXPRESSWAY IMPROVEMENT PROJECT

Auth. sale of real estate and granting easements for Western Expressway Improvement Proj., Tr. letter, 320, Pssd., 322

WHITCOMB, ANDREA

Establishing \$30,000 as max. compensation for professional svcs. agree. with Andrea Whitcomb for continuation of "Greta Program", Tr. letter, 126, Pssd., 126

WHITNEY STREET

Changing zoning class. of 299-341 Whitney St. and 1 LaSalle St. from M Manufacturing Industrial to R-2 Two-Family Residential, Tr. letter, 251, Pub. hear., 224, Pssd., 252

WIERZBOWSKI, JOSEPH

Reso. approving appt. and reappointments to Downtown Enhancement District Advisory Comm., Tr. letter, 66, Adpt., 66

WILLIAMS, ROLAND, FOUNDATION

Auth. agree. for 2001 Youth Svcs. Program, Tr. letter, 271, Pssd., 272

WILSON COMMENCEMENT PARK

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

WINDOW WELLS

LJO for retention of window wells at 2263-2267 Clifford Ave. as part of Clifford Ave. improvement proj., Tr. letter, 46, Pub. hear., 39, Pssd., 49

WINTON ROAD

Bond ord. auth. issuance of \$672,000 bonds and application of \$1,356,000 in funds received from County of Monroe and \$910 from Rochester-Genesee Regional Transportation Authority to finance cost of constr. and reconstruction of certain streets related to Browncroft Blvd. and North Winton Rd. improvement proj., Tr. letter, 42, Pssd., 43

Bond ord. auth. issuance of \$589,000 bonds to finance cost of constr. and reconstruction of certain water mains related to Browncroft Blvd. and North Winton Rd. improvement proj., Tr. letter, 42, Pssd., 44

Auth. agree. and approp. funds for Browncroft Blvd. and North Winton Rd. improvement proj., Tr. letter, 42, Pssd., 45

WISSMAN, DANIEL

Establishing max. compensation for professional svcs. agree. for labor negotiations svcs., Tr. letter, 30, Pssd., 30

Establishing max. compensation for professional svcs. agree. for labor negotiation svcs., Tr. letter, 347, Pssd., 347

WOODSTOCK ROAD

Bond ord. auth. issuance of \$34,000 bonds to finance additional cost of planning and implementing environmental remediation design and interim clean-up at former APCO site located at 79 Woodstock Rd., Tr. letter, 229, Pssd., 231

Bond ord. auth. issuance of \$435,000 bonds to finance additional cost of planning and implementing environmental remediation at former APCO Site located at 79 Woodstock Rd., Tr. letter, 261, Pssd., 262

WORDCRAFTER PROGRAM

Establishing \$15,600 as max. compensation for professional svcs. agree. with Writers & Books, Inc. for Wordcrafter Program, Tr. letter, 290, Pssd., 290

WORKERS' COMPENSATION

Establishing \$195,000 as max. compensation for professional svcs. agree. with HRH Risk management for continued admin. of City's workers' compensation program, Tr. letter, 172, Pssd., 172

WRITERS & BOOKS, INC.

Establishing \$15,600 as max. compensation for professional svcs. agree. with Writers & Books, Inc. for Wordcrafter Program, Tr. letter, 290, Pssd., 290

WROBLEWSKI, ARTHUR

Reso. approving appt. and reappointments to Downtown Enhancement District Advisory Comm., Tr. letter, 66, Adpt., 66

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(No Entries)

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YMCA

Auth. agree. for human svcs. proj., Tr. letter, 93, Pssd., 94; Tr. letter, 148, Pssd., 149; Tr. letter, 233, Pssd., 233

Auth. agree. for 2001 Youth Svcs. Program, Tr. letter, 271, Pssd., 272

YWCA

Auth. agree. for Adolescent Pregnancy Prevention Svcs. Program, Tr. letter, 108, Pssd., 108

Auth. application and agree. relating to Emergency Shelter Grant Program, Tr. letter, 136, Pssd., 137

YOUNG EXPLOSIVES

Establishing \$25,000 as max. compensation for professional svcs. agree. for fireworks, Tr. letter, 151, Pssd., 151

YOUTH SERVICES PROGRAM

Auth. agree. for 2001 Youth Svcs. Program, Tr. letter, 271, Pssd., 272

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ZINTER HOUSING CONSULTANTS

Establishing \$16,935 as max. compensation for professional svcs. agree. for NET Report to the Community, Tr. letter, 71, Pssd., 72

ZONING

Auth. agree. for electrical inspection svcs. and amend. professional svcs. agree. for zoning ord. revision proj., Tr. letter, 57, Pssd., 57

Amend. Chapter 115 of mun. code, zoning ord., with respect to Comprehensive Plan and official street map, Tr. letter, 77, Pub. hear., 65, Pssd., 81

Establishing \$86,300 as max. compensation for professional svcs. agree. for design standards for zoning map and ord. update proj. and amending 2000-01 budget, Tr. letter, 124, Pssd., 125

Changing zoning class. of 1505 University Ave. from H-4 Medium High Historic to IPD#4-Valley Manor and of 1570 East Ave. from H-4/O-IPD#4 to IPD#4 and amend. current plan for IPD#4, Tr. letter, 163, Pub. hear., 142, Pssd., 165

Changing zoning class. of 893 North Goodman St. from R-2 Two-Family Residential to C-1 Neighborhood Commercial, Tr. letter, 251, Pub. hear., 224, Pssd., 251

Changing zoning class. of 299-341 Whitney St. and 1 LaSalle St. from M Manufacturing Industrial to R-2 Two-Family Residential, Tr. letter, 251, Pub. hear., 224, Pssd., 252

Changing zoning class. of 98 and 104 Ardmore St. and 24 Moran St. from R-2 Two Family Residential to IPD#10 and amend. current plan for IPD#10, Tr. letter 278, Pub. hear., 261, Pssd., 280

Auth. amend. 2001-02 Comm. Dev. Program Plan, amending Ord. No. 99-18 and auth. agree. for Zoning Ord. and Map Revision Proj. and auth. agree. for Cascade Historic District street furniture and art, Tr. letter, 297, Pub. hear., 285, Pssd., 298

Changing zoning class. of 618 Upper Falls Blvd. from R-3 Low-Medium Residential to C-2 Community Commercial, Tr. letter, 301, Pub. hear., 285, Held, 302

Changing zoning class. of 50-52 Bennington Dr. from C-2 Community Commercial to M Manufacturing Industrial, Tr. letter, 302, Pub. hear., 285, Held, 302, Pssd., 326

Changing zoning class. of 45, 49 and 57 Bay St. from R-3 Low Medium Resi. to C-2 Community Commercial, Tr. letter, 327, Pub. hear., 306, Held, 328

Changing zoning class. of 634 Hudson Ave. from C-2 Community Commercial to PD Planned Development #1-Holy Redeemer (Northside Church Of Christ) and adpt. current plan for PD#1, Tr. letter, 345, Pub. hear., 333, Held, 346

ZONING BOARD OF APPEALS

Reso. approving appt. to Zoning Board of Appeals, Tr. letter, 60, Adpt., 60

Amend. Section 52-5 of mun. code, Procedure for Enforcement, with respect to issuance of immediate tickets for commercial activities in violation of zoning ord., Tr. letter, 165, Held, 166

Reso. approving appt. to Zoning Board of Appeals, Tr. letter, 223, Pssd., 223

ZONING DIRECTOR

Submits notice of environmental determination for 618 Upper Falls Blvd., and 379 & 387 Hudson Ave., 261

ZWEIGLE'S, INC.

Auth. sale of real estate for Zweigle's, Inc. Dev. Proj., Tr. letter, 329, Pssd., 330

