

By Legislators Johns and Smith

Intro. No. ____

MOTION NO. ____ OF 2023

PROVIDING THAT RESOLUTION (INTRO. NO. ____ OF 2023), ENTITLED “APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT – GENESEE VALLEY PUMP STATION,” BE TABLED

BE IT MOVED, that Resolution (Intro. No. ____ of 2023), entitled, **“APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT – GENESEE VALLEY PUMP STATION,”** be tabled.

File No. 23-0347

ADOPTION: Date _____

Vote: _____



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

November 9, 2023

OFFICIAL FILE COPY	
No.	230347
Not to be removed from the Office of the Legislature of Monroe County	
Committee Assignment	
URGENT	-L

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Increase and Improvement of Facilities in the Rochester Pure Waters District – Genesee Valley Pump Station and Amend the 2024 Capital Budget and Bond Resolution 286 of 2021 to Provide an Increase in Funding

Honorable Legislators:

I recommend that Your Honorable Body approve a request to establish an Increase and Improvement of Facilities in the Rochester Pure Waters District (the "District") in the amount of \$4,000,000, consisting of a capital project entitled "Genesee Valley Pump Station," and amend the 2024 Capital Budget and Bond Resolution 286 of 2021 to provide an increase in funding.

The total Increase and Improvement of Facilities in the District is comprised of the "Genesee Valley Pump Station" project (\$9,500,000) and the "General Collection System and Treatment Plant Improvements" project (\$1,900,000) for a total estimated cost of the Increase and Improvement in the amount of \$11,400,000. The "General Collection System and Treatment Plant Improvements" project is under consideration by Your Honorable Body as a companion referral.

This increase and improvement of Facilities is necessary to provide additional funding for the project entitled "Genesee Valley Pump Station". The improvements are required to provide relief to the District's Wilson Boulevard trunk sewer and restore capacity in the District's collection system. Additionally, this project will allow the University of Rochester ("UofR") to expand its emergency medical facilities and permit future development in the Wilson Boulevard trunk sewer's sewer shed south of the UofR Medical Center. The improvements will include a new 3.5 million gallon per day sanitary pump station and force main consisting of a diversion and wet well structure with submersible pumps, valve and meter vaults, a small building to house electrical, instrumentation, and control components, and a force main approximately 1,500 linear feet that will cross under the Genesee River roughly 900 feet south of Elmwood Avenue. Through Resolution 294 of 2021, Your Honorable Body approved contracts with MRB Group for professional engineering services and with the UofR for financial participation in and the conveyance of interest in real property for the Project. Through Resolutions 159 and 160 of 2023, Your Honorable Body adopted Home Rule Messages for New York State Senate and Assembly Bills to allow the District to acquire permanent easements from the City of Rochester through Genesee Valley Park.

The estimated cost increase resulted from significant escalation of construction pricing since the project was originally estimated in 2021 and planned for construction commencing in 2022. The project was delayed to prolonged effort to acquire easements across Genesee Valley Park. Since design commenced in 2022, the pump station location on the UofR has been relocated from its original proposed location due to City of Rochester requirements and negotiations. The shifting of the pump station location resulted in a deeper excavation for the pump station structures as well as the relocation of existing underground and overhead utilities in conflict with the relocated pump station structures adding costs unforeseen in 2021.

The estimated cost of the improvements is \$9,500,000 with \$5,500,000 previously authorized by Your Honorable Body through Resolution 285 of 2021. The actual debt service obligation for the revised cost of the project, \$9,500,000, as projected in future years could potentially result in an increase of \$5.85 to the future annual charges of the average District ratepayer. However, the actual impact is typically reduced through the retirement of previous debt and other offsets to the District's capital charge levy. Based on an average annual water consumption of 60,000 gallons, the total annual charge for both operation and maintenance and capital to the typical District ratepayer in 2023 is \$254.89.

Portions of the project may become eligible for financing through the New York State Water Pollution Control Revolving Loan Fund. It is therefore requested that the County have the ability to submit applications and take any necessary steps to utilize this financing vehicle if it becomes available.

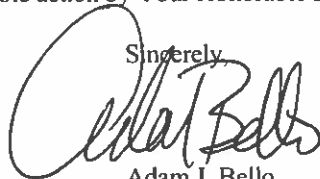
The specific legislative actions required are:

1. Hold a Public Hearing for the proposed maximum amount to be expended for an "Increase and Improvement of Facilities in the Rochester Pure Waters District."
2. Following the Public Hearing, adopt a resolution approving the "Increase and Improvement of Facilities in the Rochester Pure Waters District" at the maximum amount to be expended.
3. Amend the 2024 Capital Budget to increase funding for the "Genesee Valley Pump Station" project by \$4,000,000, from \$5,500,000 to \$9,500,000 for a total authorization of \$9,500,000.
4. Amend Bond Resolution 286 of 2021 to increase the total estimated project cost and financing for the "Genesee Valley Pump Station," capital fund 2009 by \$4,000,000, from \$5,500,000 to \$9,500,000, for a total project authorization of \$9,500,000, subject to the approval of the State Comptroller, if required.
5. Authorize filing of applications and execution of Project Financing Agreements and any other necessary documents by the County Executive or the Director of Finance- Chief Financial Officer, as appropriate, for participation in the New York State Water Pollution Control Revolving Loan Fund (SRF) under the applicable laws of New York State to finance all or a portion of the project.

This action is a Type I Action under the New York State Environmental Quality Review Act ("SEQRA"). Pursuant to Resolution 292 of 2021, the Monroe County Legislature issued a Negative Declaration for this action. No further action under SEQRA is required.

Funding for this project, consistent with authorized uses, will be available in capital fund 2009 and any capital fund(s) created for the same intended purpose. The local funding for this project will ultimately be provided by Rochester Pure Waters District user fees. No additional net County support is required in the current Monroe County budget.

I recommend that this matter receive favorable action by Your Honorable Body.

Sincerely,

Adam J. Bello
Monroe County Executive

By Legislators Johns and Smith

Intro. No. ____

RESOLUTION NO. ____ OF 2023

APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT – GENESEE VALLEY PUMP STATION

WHEREAS, the Administrative Board of the Rochester Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the “Genesee Valley Pump Station,” all as more fully set forth in such map and plan; and

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the ____ day of December, 2023, at ____ P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Rochester Pure Waters District, at a maximum estimated cost of \$9,500,000, all as more fully described in the preambles hereof.

Section 2. The cost of such increase and improvement shall be assessed against the entire geographic area encompassed by the Rochester Pure Waters District.

Section 3. The expenditure proposed for such improvement of facilities in the Rochester Pure Waters District is in the public interest and will not constitute an undue burden on the property, which will bear the cost thereof; and all real property to be assessed for such expenditure will be benefited by the proposed improvements and no benefited property has been excluded.

Section 4. The increase and improvement of facilities in the Rochester Pure Waters District is hereby approved at the maximum amount to be expended.

Section 5. The County Executive or the Director of Finance – Chief Financial Officer are hereby authorized to file applications and execute Project Financing Agreements and any other necessary documents as appropriate, for participation in the New York State Water Pollution Control Revolving Loan Fund under applicable laws of New York State to finance all or a portion of the project.

Section 6. The Clerk of the Legislature is hereby authorized and directed to send certified copies of this resolution to the New York State Department of Audit and Control.

Section 7. The Administrative Board of the Rochester Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law.

Section 8. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 23-0

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____