



**City of Rochester**

City Hall - 30 Church Street  
Rochester, New York 14614-1284  
www.cityofrochester.gov

**INTRODUCTORY NO.**

264

**Malik D. Evans**  
Mayor  
**Miguel A. Meléndez, Jr.**  
City Council President

June 20, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: Statement of Necessity: Resolution of  
Budgetary Intent – Public Utility Study

Pursuant to Section XIV of the Rules of Council, we hereby request that the Council act on the attached resolution of budgetary intent at the June 20<sup>th</sup> meeting without requiring prior reference to and discharge from a standing committee. Prompt action is required prior to the start of the 2023-24 fiscal year on July 1, 2023.

This resolution requests that the City commit funds toward a State and/or County-initiated public utility study, using underrun funds from the City Council & Clerk budget, as authorized by Resolution No. 2022-50.

Respectfully submitted,

Malik D. Evans  
Mayor

Miguel A. Meléndez, Jr.  
President, Rochester City Council

RECEIVED  
CITY OF ROCHESTER  
CLERK/COUNCIL OFFICE  
2023 JUN 20 P 4: 16



City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290  
Miguel A. Meléndez, Jr, Council President, Councilmember At-Large

June 20, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: Resolution of Budgetary Intent –  
Public Utility

Transmitted herewith for your approval is a Resolution of Budgetary Intent requesting to commit up to \$500,000 of fund balance from the Budget of the City Council and Clerk available at the end of the 2022-23 fiscal year for the purposes of a public utility feasibility study.

Rochester Gas & Electric (RG&E) utility has been besieged with customer service and billing issues over the past 18 months, while the New York State Public Service Commission (PSC) has yet to take any action to address or correct these shortcomings.

While the City needs to strongly advocate for the PSC to initiate a full rate and billing study of the Rochester Gas & Electric Corporation, locally we can look at the provision of energy and can entertain a feasibility study of how best to provide power to our citizens. This type of feasibility study needs to include the possible creation of a municipally owned utility, but should also potentially look at other options that could include exploring the potential for improving the existing utility, with the goal of more stable service provision while ensuring fair and affordable energy rates.

Rochester City Council believes this a regional issue that affects municipalities in every County within RG&E's current service area, which means Monroe County and/or New York State would be the optimal levels of government to explore energy provision in our local region.

The Council would commit the City to contribute an amount toward this effort proportional to the City population within the proposed service area under the provision that the County (Counties) and/or the State should take full control of a process for a feasibility study including any corresponding Request for Proposal (RFP) that might be issued to do so.

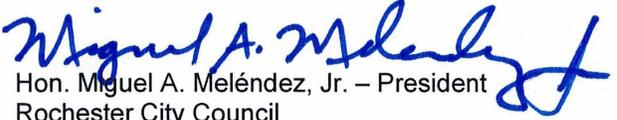
Resolution No. 2022-50 approved on December 20, 2022 resolved that any funds appropriated to the Budget of the City Council & Clerk - PAB that remain unspent at the end of the fiscal year can only be appropriated to the following four community need categories: Housing & Homelessness; Substance Abuse Treatment; Mental Health; and Public Safety & Violence.

In this resolution, City Council requests the following action:

1. The Council will commit no more than \$500,000 of fund balance from the Budget of the City Council and Clerk available at the end of the 2022-23 fiscal year for the purposes of a public power utility feasibility study, this will only occur if, and only if, partners at the State and/or County level initiate a feasibility study of this nature.
2. The City will not independently engage in any study and would only take part financially in a State and/or County initiated study. The City will not contribute more funds nor initiate a study on its own.

3. The City contribution will only be proportionate to the City population within the service area, based on the 2020 census, and will be calculated based upon the total contributions to the study by the State and/or the County.
4. The Mayor shall enter into an intermunicipal agreement with Monroe County, and potentially other counties among the Finger Lakes region, to contribute to the cost of a State and/or County-run feasibility study process.
5. The Mayor shall present such intermunicipal agreement for the approval of the Council and upon approval of the agreement; the corresponding committed fund balance will be appropriated for this purpose.
6. If no action is taken prior to the end of the fiscal year, these dollars be repurposed through an act of Council for identified Council priorities.

Respectfully submitted,

  
Hon. Miguel A. Meléndez, Jr. – President  
Rochester City Council

**INTRODUCTORY NO.**

Council 2

264

Resolution No.

**Resolution of Budgetary Intent – Public Utility Study**

WHEREAS, Rochester Gas & Electric (RG&E) utility has been besieged with customer service and billing issues over the past 18 months, and

WHEREAS, the New York State Public Service Commission (PSC) has yet to take any action to address or correct these shortcomings, and

WHEREAS, the City needs to strongly advocate for the PSC to initiate a full rate and billing study of the Rochester Gas & Electric Corporation, and

WHEREAS, locally we can look at the provision of energy and can entertain a feasibility study of how best to provide power to our citizens – including the creation of a municipally owned utility, but also other options that could include exploring the potential for improving the existing utility, with the goal of more stable service provision while ensuring fair and affordable energy rates, and

WHEREAS, the Council believes this a regional issue that affects municipalities in every County within RG&E's service area, and

WHEREAS, Monroe County and New York State would be the optimal levels of government to explore this in our local area, and as such, should take full control of the process for a feasibility study and conduct any corresponding Request for Proposal (RFP), and

WHEREAS, the Council would commit the City to contribute an amount toward this effort proportional to the City population within the proposed service area, and

WHEREAS, Resolution No. 2022-50 approved on December 20, 2022 resolved that any funds appropriated to the Budget of the City Council & Clerk - PAB that remain unspent at the end of the present fiscal year can only be appropriated to the following four community need categories (Community Needs) in amounts and shares to be determined and approved by the Council in subsequent legislation, and

WHEREAS, the community needs identified were Housing & Homelessness; Substance Abuse Treatment; Mental Health; and Public Safety & Violence; and

WHEREAS, Council would like to commit these funds to such purposes,

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

Section 1. The Council will commit no more than \$500,000 of fund balance from the Budget of the City Council and Clerk available at the end of the 2022-23 fiscal year for the purposes of a public power utility feasibility study, this will only occur if, and only if, partners at the State and/or County level initiate a feasibility study of this nature.

Section 2. The City will not independently engage in any study and would only take part financially in a State and/or County-initiated study. The City will not contribute more funds nor initiate a study on its own.

Section 3. The City contribution will only be proportionate to the City population within the service area, based on the 2020 census, and will be calculated based upon the total contributions to the study by the State and the County.

Section 4. The Mayor shall enter into an intermunicipal agreement with Monroe County, and potentially other counties among the Finger Lakes region, to contribute to the cost of a County run feasibility study process.

Section 5. The Mayor shall present such intermunicipal agreement for the approval of the Council and upon approval of the agreement; the corresponding committed fund balance will be appropriated for this purpose.

Section 6. If no action is taken within the fiscal year, these dollars should be repurposed through an act of Council for identified Council priorities.

Section 7. This resolution shall take effect immediately.