

MINUTES
SPECIAL CITY COUNCIL MEETING
THURSDAY, MAY 11, 6:45 P.M.
CITY COUNCIL CHAMBERS- HURLEY BUILDING
205 SALTONSTALL ST.
VIRTUAL: <https://us06web.zoom.us/j/82103183289>
LIVE STREAM: <https://fingerlakestv.org/live/>

City Councilmembers Present: Bob Palumbo, Mayor
Ellen Polimeni, Councilmember Ward I
Dan Unrath, Councilmember Ward II
Karen White, Councilmember Ward III
Sim Covington, Councilmember-at-Large
Renée Sutton, Councilmember-at-Large
Steve Uebbing, Councilmember-at-Large, (arrived at 6:47 pm)

City Staff Present: John Goodwin, City Manager
David Hou, Corporation Counsel
Jim Sprague, Director of DPW

Necessarily Absent: Erich Dittmar, Councilmember Ward IV
Thomas Lyon, Councilmember-at-Large

The Mayor called the meeting to order at 6:45 pm.

Review of Community Core Values: Mayor Palumbo read the Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive; Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

Approval of Minutes: N/A
Recognition of Guests: DPW Director Jim Sprague reviewed the MS4 Annual Report with Council.
Committee Reports:
Resolutions:

Resolution #2023-056:
Moved: Councilmember-at-Large Sutton
Second: Councilmember-at-Large Covington

A RESOLUTION AUTHORIZING AN AGREEMENT TO OPERATE THE KERSHAW PARK FOOD SERVICE CONCESSION

WHEREAS, the lease of the Kershaw Park Bathhouse Concession Stand expired on December 31, 2022 and

WHEREAS, an RFP was published and resulted in receipt of one proposal that was rejected for various reasons; and

WHEREAS, City Staff identified another potential vendor to operate concessions at Kershaw and found Kix on Main; and

WHEREAS, City Staff recommended contracting with Kix on Main to operate concession with a lease fee of \$1,500 and said recommendation was reviewed and approved at the May 9, 2023 Environmental Committee meeting;

NOW, THEREFORE, BE IT RESOLVED that City Council hereby authorizes the City Manager to execute an agreement with Kix on Main to provide the food service concession at Kershaw Park with an annual fee amount of \$1,500 with the option to renew for two successive beach seasons.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember-at-Large Covington, Councilmember-at-Large Sutton, Councilmember-at-Large Uebbing and Mayor Palumbo. (7-0)

NOES: None

Resolution #2023-057:

Moved: Councilmember-at-Large Covington

Second: Councilmember-at-Large Sutton

A RESOLUTION APPROVING AN MOU AND ESA FOR COMMUNITY CHOICE AGGREGATION

WHEREAS, effective April 21, 2016, the New York State Public Service Commission (“PSC”) issued an “Order Authorizing Framework for Community Choice Aggregation Opt-Out Program” authorizing the establishment of Community Choice Aggregation programs by municipalities statewide; and

WHEREAS, effective March 16, 2018, the PSC issued an “Order Approving Joule Assets’ Community Choice Aggregation Program with Modifications” that authorized Joule Assets, Inc. (“Joule”) to serve as a Community Choice Aggregation Program Administrator on behalf of cities, towns, and villages in New York State; and

WHEREAS, on November 7, 2019, the City, adopted local law 2019-003, “A Local Law to Establish a Community Choice Aggregation Program in The City of Canandaigua”, enabling a Community Choice Aggregation Program in the City (the “Program”); and

WHEREAS, the City engaged the services of Joule seeks to obtain competitive bids from electricity suppliers (each a “Supplier”) pursuant to a request for proposal that included provisions for a 100% renewable supply option, blended at 50% renewable and conventional supply (the “Supply RFP”), that is intended to result in a three-party Electricity Supply Agreement between the selected Supplier, the City and Joule that, among other things, will govern the terms of provision of the electricity supply by Supplier for the Program; and

WHEREAS, Joule prequalified prospective bidders based on creditworthiness and competence; has executed the public outreach campaign in the City as required by the New York State Department of Public Service, and has obtained utility data from the local distribution utility, all of which is necessary to solicit bids through the Supply RFP; and

WHEREAS, Joule has requested a Memorandum of Understanding (MOU) with conditional authorization to execute the “Electricity Supply Agreement” (in the form attached hereto), or ESA, and has been deemed to provide benefits, adequate protections, and minimize risk to the City, as well as to residential and small commercial utility customers therein; and

WHEREAS, Staff recommends approving the ESA and authorizing the City Manager to execute the agreement, and this recommendation was reviewed and approved at the May 9, 2023 Environmental Committee Meeting;

NOW, THEREFORE, BE IT RESOLVED, that City Council approves the MOU in the form attached to this Resolution; and

BE IT FURTHER RESOLVED, subject to the conditions that the awarded Supplier has been prequalified as required by Joule and that the awarded bid meets the specifications established in the Supply RFP, City Manager is authorized to execute an Electricity Supply Agreement on behalf of the City with any changes deemed necessary in City Manager’s reasonable discretion with the awarded Supplier and Joule in a timely fashion; provided, however, the City is under no obligation to award the Supply RFP should these conditions not be met.

Prior to the vote, Councilmember Polimeni pointed out that this was also discussed at the May 9th meeting as well.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember-at-Large Covington, Councilmember-at-Large Sutton, Councilmember-at-Large Uebbing and Mayor Palumbo. (7-0)

NOES: None

Ordinances:

Local Laws:

Manager's Report:

Appointments:

Miscellaneous:

Adjournment: Councilmember-at-Large Uebbing motioned to adjourn the meeting, seconded by Councilmember-at-Large Covington. Meeting ended at 7:00 pm, unanimously passed and carried by voice vote. (7-0)