

**OFFICIAL NOTICE OF MEETING**  
**\*\*\*REVISED TO ADD A NEW ITEM 9.1\*\*\***

A Regular meeting of the Common Council will be held on Wednesday, February 1, 2017, at 6:00 p.m. in the Common Council Chambers at City Hall, 108 East Green Street, Ithaca, New York. Your attendance is requested.

**AGENDA**

1. **PLEDGE OF ALLEGIANCE:**
2. **ADDITIONS TO OR DELETIONS FROM THE AGENDA:**
3. **PROCLAMATIONS/AWARDS:**
4. **SPECIAL ORDER OF BUSINESS:**
  - 4.1 Presentation of Quarterly Employee Recognition Award
5. **SPECIAL PRESENTATIONS BEFORE COUNCIL:**
  - 5.1 Presentation on an invasive species project completed by the Parks and Forestry Division of the City of Ithaca through Grant Funding – City Forester Jeanne Grace
6. **PETITIONS AND HEARINGS OF PERSONS BEFORE COUNCIL:**
7. **PRIVILEGE OF THE FLOOR – COMMON COUNCIL AND THE MAYOR:**
  - 7.1 Announcement of the Availability of the 2017 Annual Disclosure Forms of the Mayor and Common Council
8. **CONSENT AGENDA ITEMS:**  
**City Administration Committee:**
  - 8.1 Attorney’s Office - Amendment to Personnel Roster - Resolution
9. **NEW BUSINESS:**
  - 9.1 Mayor Myrick - An Ordinance to Amend Chapter 215 of the City of Ithaca Municipal Code entitled “Human Rights” to Add Article VI, entitled “Sanctuary City”
10. **PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE:**
  - 10.1 Annual Common Council Concurrence that the City of Ithaca Planning and Development Board be Lead Agency in Environmental Review for Site Plan Review Projects for which the Common Council is an Involved Agency - Resolution
  - 10.2 Community Housing Development Fund, Funding Round #13 — Authorization for Disbursement of \$50,000 Pursuant to an Executed Memorandum of Understanding (MOU)

11. **CITY ADMINISTRATION COMMITTEE:**

- 11.1 Support for Issuance of Driver's Licenses to New York State Residents  
Regardless of Immigration Status - Resolution
- 11.2 Fire Department – Request to Amend Budget for Purchase of Fire Police Vehicle  
- Resolution
- 11.3 Human Resources – Re-Establishment of the Standard Work Day for Elected  
and Appointed Officials - Resolution
- 11.4 City Controller's Report

12. **REPORTS OF SPECIAL COMMITTEES:**

13. **INDIVIDUAL MEMBER – FILED RESOLUTIONS:**

- 13.1 Alderperson Murtagh - Ithaca Common Council Resolution Opposing Repeal of  
the Affordable Care Act

14. **MAYOR'S APPOINTMENTS:**

- 14.1 Reappointment to Various Boards and Committees – Resolution

15. **REPORTS OF COMMON COUNCIL LIAISONS:**

16. **REPORT OF CITY CLERK:**

17. **REPORT OF CITY ATTORNEY:**

18. **MINUTES FROM PREVIOUS MEETINGS:**

- 18.1 Approval of the December 7, 2016 Common Council Meeting Minutes –  
Resolution
- 18.2 Approval of the January 4, 2017 Common Council Meeting Minutes – Resolution

19. **ADJOURNMENT:**

If you have a disability that will require special arrangements to be made in order for you to fully participate in the meeting, please contact the City Clerk at 274-6570 at least 48 hours before the meeting.

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Julie Conley Holcomb, CMC  
City Clerk

Date: January 26, 2017

8. **CONSENT AGENDA ITEMS:**  
**City Administration Committee:**

8.1 **Attorney's Office - Amendment to Personnel Roster - Resolution**

WHEREAS, the City Attorney's Office requests that the workweek for one Assistant City Attorney be reduced from 40 hours per week to 32 hours per week; and

WHEREAS, the City Attorney is confident that this reduction will nonetheless enable the City Attorney's Office to support the City's needs; now, therefore be it

**RESOLVED**, That effective February 5, 2017, the workweek of one Assistant City Attorney position be and hereby is reduced from forty (40) hours/week to thirty-two (32) hours/week pursuant to the employee's request; and, be it further

**RESOLVED**, That for the sole purpose of determining days worked reportable to the New York State and Local Employees' Retirement System, the standard workday for this position shall be established at six and four/tenths (6.4) hours per day (thirty-two (32) hours per week).

9. **NEW BUSINESS:**

9.1 **Mayor Myrick - An Ordinance to Amend Chapter 215 of the City of Ithaca Municipal Code entitled "Human Rights" to Add Article VI, entitled "Sanctuary City"**

WHEREAS, the City of Ithaca's Mayor and Common Council hereby affirm and express that the core values of the City of Ithaca include, regardless of nationality or citizenship status, creating a climate of welcome and inclusiveness, protecting and preserving the values of democracy and freedom, and respecting the human dignity and human rights of all persons; and

WHEREAS, the City of Ithaca has long embraced refugees fleeing persecution and violence,<sup>1</sup> and, as recently as June 1, 2016, the Mayor and Common Council welcomed future refugees to join the community and reaffirmed the City's commitment to refugees that already made their home in Ithaca;<sup>2</sup> and

WHEREAS, on January 27, 2017, President Donald Trump signed an Executive Order that suspended the settlement of refugees to the United States for 120 days, thereby needlessly stranding a number of refugee families that had nearly completed the already extensive refugee vetting process and intended to relocate to Ithaca in coming months; and

WHEREAS, in the face of Donald Trump's Presidency, the City of Ithaca remains committed to maintaining its core values and dedication to refugee and immigrant communities; now therefore

**ORDINANCE NO. 2017-**

**BE IT ORDAINED AND ENACTED** by the Common Council of the City of Ithaca as follows:

**Section 1.** Findings of Fact. The Common Council finds that:

1. Since at least 2007, the City of Ithaca has maintained a policy of non-involvement in the enforcement of federal immigration laws.<sup>3</sup>
2. Immigration law and enforcement are an area of federal, not local, concern, and the Tenth Amendment of the United States Constitution prevents the federal government from commandeering state or local agencies or officers to implement federal policies or regulations.

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<sup>1</sup> City of Ithaca Common Council Minutes. July 10, 1985, pages 4-6, <https://fweb.tompkins-co.org/WebLink/DocView.aspx?dbid=13&id=389761&page=1&cr=1>

<sup>2</sup> City of Ithaca Common Council Minutes. June 1, 2016, pages 4-5, <https://fweb.tompkins-co.org/WebLink/13/doc/569531/Page1.aspx>

<sup>3</sup> City of Ithaca Common Council Minutes. April 4, 2007, pages 10-11, <https://fweb.tompkins-co.org/weblink/13/doc/390199/Page1.aspx>

difficult or impossible if some expectation of confidentiality is not preserved. Preserving confidentiality may in turn require that state and local governments regulate the use of such information by their employees, including confidential information in the possession of City agencies relating to immigration status or other personal or private attributes. As such, confidential information in the possession of City agencies relating to immigration status or personal or private attributes should be disclosed to federal immigration authorities only as provided in Section 215-41 as created by this ordinance.

4. Nevertheless, on January 25, 2017, President Trump signed an executive order that, among other things, seeks to punish municipalities that his appointees deem “sanctuary jurisdictions.”
5. In recognition of the above findings of fact, and consistent with the Tenth Amendment to the United States Constitution, the enactment of this Article is intended to achieve the following objectives, each reflective of the objectives set out in New York Attorney General Eric Schneiderman’s January 19, 2017 Model Sanctuary Provisions<sup>4</sup>:
  - a. The City should not engage in activities solely for the purpose of enforcing federal immigration law.
  - b. The City should only honor warrantless detainer requests from the federal government under limited, specified circumstances.
  - c. The City should not honor requests for certain non-public, sensitive information about an individual without a judicial warrant.
  - d. The City should not provide the federal government access to individuals in their custody for questioning solely for immigration enforcement.
  - e. The City should protect the due process rights of individuals as to whom federal immigration enforcement requests have been made.
  - f. City resources should not be used by the federal government to create a registry based on race, gender, sexual orientation, religion, ethnicity, or national origin.
  - g. City agencies should limit the collection of immigration-related information and ensure nondiscriminatory access to City benefits and services.
  - h. The City should report data to the public regarding detainer and notification requests from the federal government for monitoring purposes.

**Section 2.** Creation of Article VI, Chapter 215. Chapter 215 of the City of Ithaca Municipal Code entitled “Human Rights Protection” is hereby amended to add a new Article VI entitled “Sanctuary City”. Such Article shall read as follows:

## **Article VI – Sanctuary City**

### **§ 215-37. Legislative purpose and intent.**

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<sup>4</sup> Guidance Concerning Local Authority Participation in Immigration Enforcement And Model Sanctuary Provisions, January 19, 2017, <https://ag.ny.gov/press-release/anticipating-major-changes-federal-immigration-enforcement-ag-schneiderman-provides>.

The purpose and intent of this Article is to recognize the importance of fostering a city that is welcoming and inclusive for all individuals, regardless of nationality or citizenship status, and to ensure, to the greatest extent permitted by law, that immigration enforcement is a function of the federal government and not the City of Ithaca.

### **§ 215-38. Definitions.**

When used in this article, the following terms shall have the meanings indicated:

**CIVIL IMMIGRATION DETAINER (also called a “CIVIL IMMIGRATION WARRANT”)**

A detainer issued pursuant to 8 C.F.R. § 287.7 or any similar request from ICE or CPB for detention of a person suspected of violating civil immigration law.<sup>5</sup>

**CBP**

U.S. Customs and Border Protection, including any successor federal agency(s) tasked with immigration, customs, and/or border enforcement.

**JUDICIAL WARRANT**

A warrant based on probable cause and issued by an Article III federal judge or a federal magistrate judge that authorizes federal immigration authorities to take into custody the person who is the subject of the warrant. A judicial warrant does not include a civil immigration warrant, administrative warrant, or other document signed only by U.S. Immigration and Customs Enforcement (“ICE”) or Customs and Border Protection (“CBP”) officials.

**ICE**

U.S. Immigration and Customs Enforcement, including any successor federal agency(s) tasked with immigration, customs, and border enforcement.

**IPD**

Ithaca Police Department, including entities, efforts, and initiatives jointly operated or pursued by officers of the Ithaca Police Department, acting in their official capacity, and others (e.g., the Joint Special Weapons and Tactics Team).

**PROBABLE CAUSE**

More than mere suspicion or that something is at least more probable than not. Probable cause and “reasonable cause,” as that latter term is used in the New York State criminal procedure code, are equivalent standards.

### **§ 215-39. Prohibition of certain enforcement activities solely for the purpose of enforcing federal immigration laws.**

- A. IPD shall not stop, question, interrogate, investigate, or arrest an individual based solely on any of the following:
  - a. Actual or suspected immigration or citizenship status; or

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<sup>5</sup>See (“Immigration Detainer—Request for Voluntary Action”) (5/15), available at <https://www.ice.gov/sites/default/files/documents/Document/2016/I-247D.PDF>

- b. A “civil immigration warrant,” administrative warrant, or an immigration detainer in the individual’s name, including those identified in the National Crime Information Center (NCIC) database.
- B. IPD shall not inquire about the immigration status of an individual, including a crime victim, a witness, or a person who calls or approaches the police seeking assistance, unless necessary to investigate criminal activity by that individual.
- C. IPD shall not perform the functions of a federal immigration officer or otherwise engage in the enforcement of federal immigration law, whether pursuant to Section 1357(g) of Title 8 of the United States Code or under any other law, regulation, or policy.

**§ 215-40. Civil immigration detainer requests.**

- A. IPD may respond affirmatively to a “civil immigration detainer” from ICE or CBP to detain or transfer an individual for immigration enforcement or investigation purposes for up to 48 hours ONLY IF the request is accompanied by a judicial warrant,
  - 1. EXCEPT THAT IPD may, upon the written legal opinion of the Office of the City Attorney, detain a person for up to 48 hours on a “civil immigration detainer” in the absence of a judicial warrant IF
    - a. (1) there is probable cause to believe that the individual has illegally re-entered the country after a previous removal or return as defined by 8 U.S.C. § 1326 and (2) the individual has been convicted at any time of (i) a “violent or serious crime” as defined in subsection 14-154(a)(6) of the Administrative Code of the City of New York<sup>6</sup> or (ii) a federal crime or crime under the law of another state that would constitute a predicate felony conviction, as defined under the New York Penal Law, for any of the preceding felonies; or
    - b. there is probable cause to believe that the individual has or is engaged in terrorist activity.

**§ 215-41. ICE or CBP requests for certain non-public, sensitive information**

- A. IPD may, upon the written legal opinion of the Office of the City Attorney, respond affirmatively to an ICE or CBP request for non-public information about an individual—including but not limited to non-public information about an individual’s release, home address, or work address—ONLY IF the request is accompanied by a judicial warrant,
  - 1. EXCEPT THAT nothing in this law prohibits IPD from:
    - a. sending to or receiving from any local, state, or federal agency – as per 8 U.S.C. § 1373 – (i) information regarding an individual’s country of citizenship or (ii) a statement of the individual’s immigration status; or
    - b. disclosing information about an individual’s criminal arrests or convictions, where disclosure of such information about the

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<sup>6</sup> The text of N.Y.C. Admin. Code § 14-154(a)(6) is available at [https://www.lawserver.com/law/state/new-york/ny-laws/ny\\_new\\_york\\_city\\_administrative\\_code\\_14-154](https://www.lawserver.com/law/state/new-york/ny-laws/ny_new_york_city_administrative_code_14-154).

- individual is otherwise permitted by state law or required pursuant to subpoena or court order; or
- c. disclosing information about an individual's juvenile arrests or delinquency or youthful offender adjudications, where disclosure of such information about the individual is otherwise permitted by state law or required pursuant to subpoena or court order.
2. IPD shall limit the information collected from individuals concerning immigration or citizenship status to that necessary to perform agency duties and shall prohibit the use or disclosure of such information in any manner that violates federal, state, or local law.

**§ 215-42. Questioning individuals in custody solely for immigration enforcement purposes.**

IPD shall not provide ICE or CBP with access to an individual in its custody or the use of IPD facilities to question or interview such individual if ICE or CBP's sole purpose is enforcement of federal immigration law. A determination under this section that ICE or CBP's sole purpose is NOT enforcement of federal immigration law may only be reached upon the written legal opinion of the Office of the City Attorney.

**§ 215-43. Due process and notice**

- A. IPD shall not delay bail and/or release from custody upon posting of bail solely because of (i) an individual's immigration or citizenship status, (ii) a civil immigration warrant, or (iii) an ICE or CBP request—for the purposes of immigration enforcement—for notification about, transfer of, detention of, or interview or interrogation of that individual.
- B. Upon receipt of an ICE or CBP detainer, transfer, notification, interview or interrogation request, IPD shall provide a copy of that request to the individual named therein and inform the individual whether IPD will comply with the request before communicating its response to the requesting agency.
- C. Individuals in IPD's custody shall be subject to IPD's booking, processing, release, and transfer procedures, policies, and practices, regardless of actual or suspected citizenship or immigration status.

**§ 215-44. Prohibition on the use of City resources to create any registry based on race, gender, sexual orientation, religion, ethnicity, or national origin.**

Neither the City of Ithaca nor any City personnel may use City funds, facilities, property, equipment, or personnel to investigate, enforce, or assist in the investigation or enforcement of any federal program requiring registration of individuals on the basis of race, gender, sexual orientation, religion, ethnicity, or national origin.

**§ 215-45. Collection of immigration-related information; access to City benefits and services.**

- A. City personnel shall not inquire about or request proof of immigration status or citizenship when providing services or benefits, except where the receipt of such

services or benefits are contingent upon one's immigration or citizenship status or where inquiries are otherwise lawfully required by federal, state, or local laws.

- B. IPD shall establish a Language Assistance Policy for individuals with Limited English Proficiency and provide interpretation or translation services consistent with that policy.

**§ 215-46. Collection and reports of data.**

- A. IPD shall record, solely to create the reports described in subsection (b) below, the following for each immigration detainer, notification, transfer, interview, or interrogation request received from ICE or CBP:

1. the subject individual's race, gender, and place of birth;
2. date and time that the subject individual was taken into custody, the location where the individual was held, and the arrest charges;
3. date and time of IPD receipt of the request;
4. the requesting agency;
5. immigration or criminal history indicated on the request form, if any;
6. whether the request was accompanied by any documentation regarding immigration status or proceedings, e.g., a judicial warrant;
7. whether a copy of the request was provided to the individual and, if yes, the date and time of notification;
8. whether the individual consented to the request;
9. whether the individual requested to confer with counsel regarding the request;
10. IPD's response to the request, including a decision not to fulfill the request;
11. if applicable, the date and time that ICE or CBP took custody of, or was otherwise given access to, the individual; and
12. date and time of the individual's release from IPD's custody.

- B. IPD shall provide annual reports to the Common Council and the City Clerk, who shall make the same publicly available, regarding the information collected in subsection (A) above in an aggregated form that is stripped of all personal identifiers in order that IPD and the community may monitor IPD's compliance with all applicable law.

**Section 3.** Severability. Severability is intended throughout and within the provisions of this ordinance. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portion.

**Section 4.** Effective date. This ordinance shall take effect immediately and in accordance with law upon publication of notices as provided in the Ithaca City Charter.

10. **PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE:**

10.1 **Annual Common Council Concurrence that the City of Ithaca Planning and Development Board be Lead Agency in Environmental Review for Site Plan Review Projects for which the Common Council is an Involved Agency - Resolution**

WHEREAS, 6 NYCRR Part 617 of the State Environmental Quality Review Law and Chapter 176.6 of the City of Ithaca Municipal Code entitled "Environmental Quality Review", require that a lead agency be established for conducting environmental review of projects in accordance with local and state environmental law; and

WHEREAS, State Law specifies that, for actions governed by local environmental review, the lead agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action; and

WHEREAS, State Law also specifies that when an agency proposes to directly undertake, fund or approve a Type I Action or an Unlisted Action undergoing coordinated review with other involved agencies, it must notify them that a lead agency must be agreed upon within 30 calendar days of the date that the Environmental Assessment Form (EAF) or draft Environmental Impact Statement (EIS) was transmitted to them; and

WHEREAS, Projects submitted to the City of Ithaca Planning and Development Board for Site Plan Review and Approval, at times involve approval or funding from Common Council, making Council an involved agency in environmental review; and

WHEREAS, in order to avoid delays in establishing a Lead Agency and to make the environmental review process more efficient, it is desirable to continue the agreement in which the City of Ithaca Planning and Development Board will assume Lead Agency status for such projects; and

WHEREAS, in accordance with the State Environmental Quality Review Law and the City of Ithaca Environmental Quality Review Ordinance, involved agencies are provided with project information and environmental forms for their review, as well as all environmental determinations; and

WHEREAS, on April 7, 2015 Common Council did consent to the Planning & Development Board acting as Lead Agency in environmental review for site plan review projects for which Common Council has been identified as an Involved Agency through December 31, 2015; and

WHEREAS, Common Council did consent to the Planning & Development Board acting as Lead Agency in environmental review for site plan review projects for which Common Council has been identified as an Involved Agency through December 31, 2016; now, therefore be it

**RESOLVED**, That Common Council does hereby consent to the Planning & Development Board acting as Lead Agency in environmental review for site plan review projects for which Common Council has been identified as an Involved Agency through December 31, 2017; and, be it further

**RESOLVED**, That for any future project Common Council may withhold or withdraw its consent should it so desire.

**10.2 Community Housing Development Fund, Funding Round #13 —  
 Authorization for Disbursement of \$50,000 Pursuant to an Executed Memorandum  
 of Understanding (MOU) – Resolution**

WHEREAS, the Community Housing Development Fund (CHDF) was established in 2009, and renewed in 2015, by Memorandum of Understanding (MOU) among and between the City of Ithaca, Tompkins County and Cornell University to raise and award funds to increase the supply of permanently affordable housing in the County; and

WHEREAS, on an annual basis Cornell University contributes \$200,000 to the CHDF and the City of Ithaca and Tompkins County each contribute \$100,000; and

WHEREAS, the CHDF Program Oversight Committee (POC) recommends round #13 funding of \$356,250 for the following affordable housing projects:

Community Housing Development Fund Round #13 Recommended Funding Awards							
Applicant	Project	# Units	Location	Funding (\$1,000s)			
				Cornell	County	City	Total
Second Wind Cottages, Inc.	Second Wind Cottages (units #15-#18)	4 rental	(T) Newfield -1435 Elmira Rd.	37.5	18.75	0	56.25
INHS, Inc	INHS Scattered Site Rental Housing Preservation	98 rental	(C) Ithaca -14 various properties	200	50	50	300
<b>Totals</b>				<b>237.5</b>	<b>68.75</b>	<b>50</b>	<b>356.25</b>

and;

WHEREAS, Common Council determined that City of Ithaca contributions to the CHDF should be used solely to assist projects located within the City of Ithaca; and

WHEREAS, pursuant to the 2015 Memorandum of Understanding, Tompkins County administers the CHDF, including collection of contributions to the CHDF and distribution of funds to project sponsors; and

WHEREAS, rehabilitation of a facility in-kind on the same site is a type II action under SEQR/CEQRO, therefore no environmental review is required for the INHS Scattered Site Rental Housing Preservation project; and

WHEREAS, prior City contributions to the CHDF were derived from Gateway Loan proceeds administered by the Ithaca Urban Renewal Agency that originated from sale of City-owned land for the Eddygate project located at 110 Dryden Road, but such funds have been depleted; and

WHEREAS, as part of the 2016 Budget, funds were placed in Restricted Contingency to fund the City's contribution to the CHDF; now; therefore be it

**RESOLVED**, that the Common Council for the City of Ithaca hereby authorizes an expenditure of up to \$50,000 to Tompkins County for the following affordable housing projects to implement the round #13 recommended funding awards through the Community Housing Development Fund:

Project Name: INHS Scattered Site Rental Housing Preservation Project  
Amount: \$50,000  
Applicant: Ithaca Neighborhood Housing Services, Inc.  
Project Summary: Renovation of 98 rental housing units in 44 buildings located throughout the City of Ithaca

; and, be it further

**RESOLVED**, That Common Council hereby transfers \$50,000 from Account A1990 Restricted Contingency to the following account:

A8020-5700 Planning Contracts \$50,000 to fund City/County/Cornell Housing Trust city portion)

; and, be it further

**RESOLVED**, That the Mayor, subject to advice of the City Attorney, is hereby authorized to execute a fiscal agency agreement with Tompkins County to implement this resolution.

11. **CITY ADMINISTRATION COMMITTEE:**

11.1 **Support for Issuance of Driver's Licenses to New York State Residents  
Regardless of Immigration Status - Resolution**

WHEREAS, many New Yorkers are being denied access to driver's licenses that they urgently need to drive to work, buy groceries, take their children to school, travel to appointments, attend religious worship, or take family members to hospitals in cases of emergency; and

WHEREAS, many New Yorkers who cannot obtain driver's licenses because of their immigration status live in fear that they will be arrested during a routine traffic stop, and because they do not have a driver's license they will be vulnerable to deportation and being separated from their families; and

WHEREAS, licensing drivers improves public safety by ensuring that everyone driving on our roads is properly licensed, informed of our traffic laws, and is operating a registered, inspected, and insured vehicle; and

WHEREAS, licensed drivers are more likely to stay at the scene of an accident to aid police and emergency workers and to exchange insurance information with other affected motorists; and

WHEREAS, licensed drivers who witness crimes will be more comfortable reporting them to the police and cooperating in investigations; and

WHEREAS, allowing immigrants to obtain a driver's license regardless of immigration status would mean an increase in revenue for New York State from license and registration fees; and

WHEREAS, removing immigration status barriers to driver's licenses will reduce the number of accidents involving uninsured motorists, leading to lower auto insurance premiums for all New Yorkers; and

WHEREAS, there are twelve states across the United States that already provide access to licenses to all residents, regardless of immigration status, including our neighboring states of Connecticut and Vermont; now, therefore be it

**RESOLVED**, That the Common Council expresses our collective desire for safety and security for all of our residents and, further, our commitment to pursuing the common good by ensuring shared resources such as roads and highways be accessed and utilized responsibly and safely; and, be it further

**RESOLVED**, That Common Council recognizes immigration law to be a federal concern; and, be it further

**RESOLVED**, That Common Council calls upon the New York State legislature and Governor Cuomo to promptly ensure the issuance of driver's licenses to all qualified New York residents, regardless of immigration status; and, be it further

**RESOLVED**, That the City Clerk forward a true copy of this Resolution to Governor Cuomo, Assemblywoman Barbara Lifton, and State Senator Tom O'Mara.

**11.2 Fire Department – Request to Amend Budget for Purchase of Fire Police Vehicle - Resolution**

WHEREAS, the Ithaca Fire Police is a unit of the City of Ithaca Fire Department comprised of members of Neriton Fire Company No. 9; and

WHEREAS, the Ithaca Fire Police Unit responds to emergencies requiring traffic and crowd control; and

WHEREAS, the work of the Fire Police involves the use of barricades, flares, portable traffic control signs, scene lighting, and traffic cones; and

WHEREAS, the Ithaca Fire Department does not have a vehicle to permanently store and make available for use for carrying traffic control equipment; and

WHEREAS, the members of the Fire Police Unit currently use their personal vehicles to transport traffic control equipment to emergency incidents; and

WHEREAS, on May 4, 2016, Common Council authorized, by resolution, to accept up to twenty thousand dollars (\$20,000) from Neriton Fire Company No. 9 to fund the purchase of a used vehicle; and

WHEREAS, the Fire Chief and the members of Neriton Fire Company No. 9 have been unable to find a used vehicle acceptable for use as a Fire Police Vehicle; and

WHEREAS, Neriton Fire Company No. 9 has offered to fund the purchase of a **new** vehicle, up to **forty-one dollars (\$41,000)**; and

WHEREAS, Neriton Fire Company No. 9 has also offered to provide funding for retrofitting, and major repairs of the Fire Police vehicle; and

WHEREAS, the City Attorney has recommended that the Fire Police vehicle be owned by the City of Ithaca for it to be eligible for insurance and registration under the City of Ithaca; and

WHEREAS, the Fire Police vehicle, when not in use, will be parked or stored on City owned property; and

WHEREAS, the Fire Chief supports the request of Neriton Fire Company No. 9 to purchase a new vehicle for the Fire Police unit; now, therefore be it

**RESOLVED**, That the City of Ithaca Common Council approves the acceptance of funds from Neriton Fire Company No. 9 for the purchase of a new vehicle for the Fire Police unit; and, be it further

**RESOLVED**, That Common Council hereby amends the 2017 authorized City of Ithaca Fire Department budget to account for the funds donated by Neriton Fire Company No. 9 as follows:

Increase Revenue Account:		
3410-2705-12250	Donations	\$55,000
Increase Appropriation Account		
A3410-5215-12250	Vehicles	\$41,000
A3410-5476-12250	Equipment Maint.	\$14,000

and; be it further

**RESOLVED**, That the cost for registration, insurance, fuel and routine maintenance will be paid for out of existing City of Ithaca Fire Department funding; and, be it further

**RESOLVED**, That Common Council authorizes the purchase of a Fire Police Vehicle at a cost not to exceed funds provided by Neriton Fire Company No. 9; and, be it further

**RESOLVED**, That Common Council authorizes the retrofitting and major repairs of the Fire Police vehicle in an amount not to exceed funding provided by Neriton Fire Company No. 9.

**11.3 Human Resources – Re-Establishment of the Standard Work Day for Elected and Appointed Officials - Resolution**

WHEREAS, the New York State Local Retirement System Regulation 315.4 requires that all participating employers pass a Resolution for all paid elected and appointed officials, who are members of the retirement system at the start of their new term or subsequent terms; and

WHEREAS, the Mayor's new term began on January 1, 2016 and the Chief of Staff position was created in the 2013 budget, but not by resolution which would have established the standard workday; now, therefore be it

**RESOLVED**, That Common Council hereby re-establishes the following standard workday for the sole purpose of determining days worked reportable to the New York State and Local Employees' Retirement System:

**Eight (8) hour workday; Forty (40) hour workweek:**

Mayor  
Chief of Staff

13. **INDIVIDUAL MEMBER – FILED RESOLUTIONS:**

13.1 **Aldersperson Murtagh - Ithaca Common Council Resolution Opposing Repeal of the Affordable Care Act**

WHEREAS, the Affordable Care Act has transformed the delivery of healthcare in the United States, expanding access to healthcare for millions of people and establishing the basic principle that all Americans should have access to quality, affordable healthcare; and

WHEREAS, the Affordable Care Act, through the New York State of Health exchange, has succeeded in cutting the rate of uninsured New Yorkers in half, by expanding Medicaid eligibility, covering young adults until age 26, offering free preventative care, and prohibiting discrimination based on pre-existing conditions, among other benefits; and

WHEREAS, repeal of the Affordable Care Act, without an immediate, equally effective and comprehensive replacement, would result in 18 million people in the United States losing their health insurance and premiums in the non-group market increasing by as much as 25 percent in the first year of repeal, according to data compiled by the Congressional Budget Office; and

WHEREAS, nearly 3 million New Yorkers could lose their health insurance, including 8,000 residents of Tompkins County; and

WHEREAS, repeal of the Affordable Care Act could deal a costly blow to New York State counties, which stand to lose \$600 million in federal funding if the Affordable Care Act is repealed, potentially contributing to a rise in the property tax burden for Tompkins County residents; and

WHEREAS, repeal of the Affordable Care Act is being proposed in conjunction with efforts to cut Medicaid reimbursement funding to Planned Parenthood, thereby imperiling the future of those who rely on Planned Parenthood for critical reproductive and sexual health services; and

WHEREAS, repeal of the Affordable Care Act could have negative impact on New York State's hospital community, upending insurance coverage for millions and preventing hospitals from carrying out their mission, including Cayuga Medical Center, which could stand to lose millions in federal funding if the Affordable Care Act is repealed; now, therefore be it

**RESOLVED**, That the City of Ithaca Common Council urges our Congressional representatives to vote against any repeal of the Affordable Care Act without an immediate, equally effective and comprehensive replacement; and, be it further

**RESOLVED**, That the City Clerk is hereby directed to send a copy of this resolution to the city's representatives in Congress.

14. **MAYOR'S APPOINTMENTS:**

14.1 **Reappointment to Building Code Board of Appeals – Resolution**

**RESOLVED**, That Richard Guttridge be reappointed to the Building Code Board of Appeals with a term to expire December 31, 2019.

14.2 **Reappointments to Housing Board of Review – Resolution**

**RESOLVED**, That John Barradas be reappointed to the Housing Board of Review with a term to expire December 31, 2019; and, be it further

**RESOLVED**, That Joseph Steuer be reappointed to the Housing Board of Review with a term to expire December 31, 2019.