

## **OFFICIAL NOTICE OF MEETING**

A Regular meeting of the Common Council will be held on Wednesday, October 7, 2015, 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:**
5. **SPECIAL PRESENTATIONS BEFORE COUNCIL:**
6. **PETITIONS AND HEARINGS OF PERSONS BEFORE COUNCIL:**
7. **PRIVILEGE OF THE FLOOR – COMMON COUNCIL AND THE MAYOR:**
8. **CONSENT AGENDA ITEMS:**  
**City Administration Committee:**
  - 8.1 Human Resources - Establishment of Standard Workday as Required by New York State Retirement System - Resolution
  - 8.2 Department of Planning, Building, Zoning, and Economic Development – Amendment to Roster - Resolution
9. **CITY ADMINISTRATION COMMITTEE:**
  - 9.1 A Resolution Authorizing Implementation and Funding in the First Instance 100% of the Federal Aid-Eligible Costs and State “Marchiselli” Program-Aid Eligible Costs, of a Transportation Federal-Aid Project, and Appropriating Funds Therefore
  - 9.2 City Controller’s Report
10. **PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE:**
  - 10.1 Resolution to Select Artwork for a Mural Installation at Cass Park
  - 10.2 Fair Housing Action Plan - Resolution
11. **REPORTS OF SPECIAL COMMITTEES:**
12. **NEW BUSINESS:**
13. **INDIVIDUAL MEMBER – FILED RESOLUTIONS:**

14. **MAYOR'S APPOINTMENTS:**
  - 14.1 Appointment to the Rental Housing Advisory Commission – Resolution
  - 14.2 Appointment to the Youth Bureau Advisory Board – 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 September 2, 2015 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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Sarah L. Myers  
Acting City Clerk

Date: October 1, 2015

8. **CONSENT AGENDA ITEMS:**

8.1 **Human Resources - Establishment of Standard Workday as Required by New York State Retirement System - Resolution**

WHEREAS, the New York State Retirement System requires that the standard workday be established for all positions in City government for the purpose of determining reportable days worked; and

WHEREAS, a Recreation Program Assistant position has been amended since Common Council last updated the standard workday designations; now, therefore be it

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

Six (6) hour workday; Thirty (30) hour workweek

Recreation Program Assistant 1

**8.2 Department of Planning, Building, Zoning, and Economic Development – Amendment to Roster - Resolution**

WHEREAS, the Department of Planning, Building, Zoning, and Economic Development has been reconfiguring its support staff to improve the efficiency of its operation; and

WHEREAS, the elimination of the Receptionist position and the addition of a Permit Clerk position were voted on by Common Council on September 2, 2015; and

WHEREAS, as the next step in this reconfiguration, the Civil Service Commission classified a proposed position as Database Specialist at their September 2, 2015 meeting; now, therefore be it

**RESOLVED**, That the Personnel Roster of the Department of Planning, Building, Zoning, and Economic Development shall be amended as follows:

Add:	One (1) Database Specialist (40 hours)
Delete:	One (1) Office Assistant Position (40 hours)

and be it further

**RESOLVED**, That the position of Database Specialist shall be assigned to the CSEA Administrative Unit at salary grade 8; 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 eight (8) hours per day (forty (40) hours per week).

## BACK-UP ITEM 8.2

TO: City Administration Members

FROM: JoAnn Cornish, Director of Planning and Development, City of Ithaca

DATE: September 4, 2015

**RE: Request to Amend Personnel Roster**

The Planning Division will soon begin digitizing record copies of approved site plans, zoning appeals, and Certificates of Occupancy. Senior Housing Inspector and Land Use Supervisor Gino Leonardi, the creator of this property database, will work with the Planning Division to accomplish this goal. The data will add information to the database already being populated by the Building Division. This, along with the continued input of applications, inspections reports, the issuance of permits, and automation of routine tasks, will require someone dedicated, in part, to that of a Property Database Manager. This will allow Mr. Leonardi to focus his attentions on building the system, while trusting the information being inputted will be correct and placed in the proper field.

In December 2014, Office Assistant, Margaret Head, retired from the Building Division. Since that time, other staff has been doing the work of the Office Assistant as well as their own job duties. We have had a temporary employee performing some of the easier tasks to allow staff time to do other more important work in the Building and Planning Divisions.

The Property Database Manager will also perform some duties that are required of an Office Assistant, relieving some of the pressure placed on other support staff.

I would be happy to discuss this with you should you need more information or have questions. Thank you for your consideration of this request.

9. **CITY ADMINISTRATION COMMITTEE:**

9.1 **A Resolution Authorizing Implementation and Funding in the First Instance 100% of the Federal Aid-Eligible Costs and State "Marchiselli" Program-Aid Eligible Costs, of a Transportation Federal-Aid Project, and Appropriating Funds Therefore**

WHEREAS, a Project for the Route 13 at Third & Dey Streets, Sidewalk & Pedestrian Improvements, P.I.N. 395035 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Ithaca desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design, Right-of-Way Incidentals and Acquisition, Construction, and Construction Inspection; and

WHEREAS, on May 2, 2007, Common Council approved the Project, established Capital Project #718 and authorized in the first instance a project cost of \$726,502, with the understanding that the cost to the City would be approximately 20% or \$145,300, and with the intent of applying for Community Development Block Grant funds to cover the local share; and

WHEREAS, the Board of Public Works, acting as the lead agency, declared on July 27, 2011, that the Project would not have a significant negative environmental impact in accordance with the City Environmental Quality Review Ordinance and the New York State Environmental Quality Review Act; and

WHEREAS, on June 18, 2013, the Ithaca-Tompkins County Transportation Council adopted the 2014 – 2018 Transportation Improvement Program (TIP), amending the Project to include an additional \$538,220 of which \$430,576 would be federal funds, and \$107,644 would be non-federal funds, though the City of Ithaca, as sponsor, would have to provide funding in the first instance; and

WHEREAS, funding for this Project was included in the 2013 Action Plan for Community Development Block Grant funds (a reimbursement program) in the amount of \$143,000; and

WHEREAS, on June 10, 2014, the Ithaca Tompkins County Transportation Council modified the Project on the Transportation Improvement Program to include an additional \$60,000, of which \$48,000 would be federal funds, and \$12,000 would be New York State funds, though the City of Ithaca, as sponsor, would have to provide funding in the first instance; and

WHEREAS, as part of the 2014 City Budget, Common Council approved an additional \$110,000 for the Project, as a match for additional federal aid; and

WHEREAS, on July 21, 2015, the Ithaca-Tompkins County Transportation Council amended the TIP to increase funding for the project in a total amount of \$88,764, of which 80% or \$71,011 would be federal funds, and 20% or \$17,753 would be a City share; and

WHEREAS, to date, Common Council has only specifically approved by resolution the May 2007 authorization, but in order to be reimbursed for the federal, CDBG, and state shares of the project, Common Council must authorize funding in the first instance; now, therefore be it

**RESOLVED**, That the Common Council hereby approves the above-subject project; and, it is hereby further

**RESOLVED**, That the Common Council hereby authorizes the City of Ithaca to pay in the first instance 100% of the federal and non-federal share of the cost of Design, Right-of-Way, Construction, and Construction Inspection work for the Project or portions thereof; and, it is further

**RESOLVED**, That Common Council hereby amends Capital Project #718, Route 13 at Third & Dey Streets, Sidewalk and Pedestrian Improvements to include the additional Project costs of \$829,984, for a total authorization of \$1,556,486; and, it is further

**RESOLVED**, That the sum of \$829,984, which includes the \$110,000 authorized as part of the 2014 Final Budget, is hereby appropriated from the issuance of serial bonds and made available to cover the cost of participation in the above phase of the Project; and, it is further

**RESOLVED**, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Common Council of the City of Ithaca shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof; and, it is further

**RESOLVED**, That the Mayor of the City of Ithaca be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the City of Ithaca with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and, it is further

**RESOLVED**, That this project be undertaken with the understanding that the final cost of the Project to the City of Ithaca will be roughly 20% of said portion, currently estimated at \$270,700 of the \$1,556,486 authorized for this portion of the project, in monies and in-kind services as managed by the Superintendent of Public Works and monitored by the City Controller; and, be it further

**RESOLVED**, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and, it is further

**RESOLVED**, This Resolution shall take effect immediately.

**CITY OF ITHACA**108 East Green Street, Suite 202 Ithaca, New York 14850-5690

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OFFICE OF THE CITY ENGINEER

Telephone: 607/274-6530 Fax: 607/274-6587

To: City Administration Committee  
From: Tim Logue, City Transportation Engineer  
Date: September 9, 2015  
Re: Rt 13 Pedestrian Crossings Enhancements

As you may well know, the City sponsored construction of the Rt 13 Pedestrian Crossing Improvements at Third Street and Dey Street this summer. This project is a federal aid project and has a mix of funding sources, including federal Transportation Enhancement Program funds, other federal transportation dollars, Community Development Block Grant funds, and City capital funding. Both federal aid and CDBG funds are reimbursement programs and require the sponsor to spend money in the first instance and seek reimbursement afterwards. In reviewing supplemental agreements with the New York State Department of Transportation for the project, which only recently became available, it has become clear that the City has not authorized in the first instance all the funding that is available to the project (funding that, in large part, we have already spent). This includes CDBG funds and additional federal transportation funding under the National Highway Preservation Program. The attached resolution is provided for your consideration and recommendation to Common Council to authorize and borrow funding in the first instance. The only remaining question is the final cost to finish the railroad crossings. Currently, we are negotiating with Norfolk Southern Railroad for this matter. If you have any questions, you can reach me at 274-6535 or [tlogue@cityofithaca.org](mailto:tlogue@cityofithaca.org).



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

10.1 **Resolution to Select Artwork for a Mural Installation at Cass Park**

WHEREAS, the City of Ithaca Public Art Commission (PAC) has been established to, among other duties, review and advise the Common Council on proposals for the exhibition and display of public art in the City's public spaces; and

WHEREAS, in 2010, the PAC created a mural and street art program to beautify blank walls within the city, while providing local artists from all sections of the community an opportunity to showcase their work; and

WHEREAS, the Board of Public Works approved several locations for future murals and street art by resolution on May 19, 2010 and added the exterior of the main building and the five outbuildings at Cass Park to this list on September 14, 2015; and

WHEREAS, Ramiro Davaro-Comas submitted a proposal for a mural featuring owls, cats, and zebras to be installed on the large pool filter building at Cass Park, as part of the PAC's Mural and Street Art Program; and

WHEREAS, the PAC held a public comment period on the mural design and location at its meeting on August 26, 2015 to gather input on the proposed installation, and the majority of the responses to the proposal have been positive; and

WHEREAS, the City of Ithaca Parks Commission supports the installation of the proposed mural in Cass Park; and

WHEREAS, the artist will donate his time and materials to install the mural, and the installation will be budget-neutral to the City; and

WHEREAS, at its meeting on August 26, 2015, the Public Art Commission voted to recommend that the Common Council select Ramiro Davaro-Comas's mural to be installed at Cass Park; now, therefore, be it

**RESOLVED**, That the City of Ithaca Common Council selects Ramiro Davaro-Comas's mural featuring owls, cats, and zebras, as recommended by the Public Art Commission, to be installed on the large pool filter building at Cass Park and to be added to the City of Ithaca's public art collection; and, be it further

**RESOLVED**, That the selected artist may proceed with the installation of the mural upon the execution of an agreement with the City as reviewed by the City Attorney.



**10.2 Fair Housing Action Plan – Housing and Urban Development (HUD) Program - Resolution**

WHEREAS, in the Fall of 2003, the US Department of Housing and Urban Development (HUD) notified the City that it qualified as an ‘Entitlement Community’ and that it would be receiving an annual allocation of HUD funds through the Community Development Block Grant Program (CDBG) and HOME Investment Partnerships (HOME) Program; and

WHEREAS, in order to access these funds, the City is required, every five years, to undertake an Analysis of Impediments to Fair Housing Choice (AI) and develop an Action Plan to address the impediments identified in that analysis; and

WHEREAS, in June 2014 the Tompkins County Office of Human Rights (OHR) was retained as a consultant to conduct the City’s AI and did deliver the completed analysis to the City in May 2015; and

WHEREAS, the AI identifies nine direct and one indirect impediments to Fair Housing Choice in the City of Ithaca; and

WHEREAS, under the terms of the February 14, 2013, agreement between the City of Ithaca and the Ithaca Urban Renewal Agency (IURA), the City has designated the IURA as the Lead Agency to plan, administer, implement, and monitor the HUD Entitlement grants awarded to the City in accordance with all program requirements; and

WHEREAS, at their June, July, and August 2015 Neighborhood Investment Committee meetings the members reviewed the AI submitted by OHR, discussed the identified impediments, and prepared a Draft Action Plan for the consideration of the IURA and Common Council; and

WHEREAS, at their August 2015 meeting the IURA reviewed the Draft Action Plan and recommended its adoption; now, therefore be it

**RESOLVED**, That the Common Council for the City of Ithaca hereby adopts the IURA-recommended Fair Housing Action Plan, dated August 14, 2015.

14. **MAYOR'S APPOINTMENTS:**

14.1 **Appointment to the Rental Housing Advisory Commission – Resolution**

**RESOLVED**, That Millicent J. Kastenbaum be appointed to the Rental Housing Advisory Committee to fill a vacancy with a term to expire December 31, 2017.

14.2 **Appointment to the Youth Bureau Advisory Board – Resolution**

**RESOLVED**, That Sarah E. Wolff be appointed to the Youth Bureau Advisory Board to fill a vacancy with a term to expire December 31, 2016.