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

Out of consideration for the health of other individuals, please refrain from using perfume/cologne and other scented personal care products at City of Ithaca meetings. Thank you for your cooperation and understanding.

This meeting can be viewed via livestream on https://ithacany.viebit.com/

<table>
<thead>
<tr>
<th>Item</th>
<th>Voting Item?</th>
<th>Presenter(s)</th>
<th>Time Allotted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Call to Order</td>
<td>No</td>
<td>Chair, Deb Mohlenhoff</td>
<td>15 Mins*</td>
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<tr>
<td>1.1 Agenda Review</td>
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<tr>
<td>1.2 Review and Approval of Minutes</td>
<td>Yes</td>
<td></td>
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<tr>
<td>Approval of December 18, 2019 Minutes</td>
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<td>1.3 Statements from the Public</td>
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<td>1.4 Council’s Response</td>
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<td>2. Consent</td>
<td></td>
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<tr>
<td>3. Finance, Budget and Appropriations</td>
<td>Yes</td>
<td>Liz Klohmann, YB Director</td>
<td>5 Min</td>
</tr>
<tr>
<td>3.1 YB – NYS Grant for Cass Park</td>
<td>Yes</td>
<td>Dennis Nayor, Police Chief</td>
<td>5 Min</td>
</tr>
<tr>
<td>3.2 PD – Request to Amend 2020 Budget for Grant Memo to be presented prior to meeting</td>
<td>Yes</td>
<td></td>
<td></td>
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<tr>
<td>4. City Administration, Human Resources and Policy</td>
<td>Yes</td>
<td>Dan Cogan, Chief of Staff</td>
<td>5 Min</td>
</tr>
<tr>
<td>4.1 Request to Fly Pan-African Flag</td>
<td>Yes</td>
<td>Ari Lavine, City Attorney</td>
<td>5 Min</td>
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<tr>
<td>4.2 Atty - City Apprenticeship Incentive Program for Public Works Contracts</td>
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<tr>
<td>5. Discussion</td>
<td>No</td>
<td>Public Safety and Information Comm.</td>
<td>15 Min</td>
</tr>
<tr>
<td>5.1 Dogs on the Commons</td>
<td>No</td>
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<tr>
<td>5.2 Council Rules of Procedure</td>
<td>No</td>
<td></td>
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<tr>
<td>6. Meeting Wrap-Up</td>
<td>No</td>
<td>All</td>
<td>5 Min</td>
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<tr>
<td>6.1 Announcements</td>
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<tr>
<td>6.2 Next Meeting Date: February 19, 2020</td>
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<tr>
<td>6.3 Review Agenda Items for Next Meeting</td>
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<tr>
<td>6.4 Adjourn</td>
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</tbody>
</table>
3. Finance, Budget and Appropriations

.1 Youth Bureau - NYS Grant for Enclosure of Cass Park Rink Project

RESOLVED, That the City of Ithaca applied for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) under the Environmental Protection Fund Grant Program for the purpose of funding the Enclosure of Cass Park Rink project; and

RESOLVED, That the City of Ithaca is authorized and directed to accept these grant funds in an amount not to exceed $523,269 for the project described in the grant application; and

RESOLVED, That the City of Ithaca is authorized and directed to agree to the terms and conditions of the Master Contract with OPRHP for such Enclose Cass Park Rink project; and

RESOLVED, That the City of Ithaca is authorized and directed to agree to the terms and conditions of any required deed of easement granted to OPRHP that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant; and

RESOLVED, That the governing body of the municipality delegates signing authority to execute the Master Contract and any required deed of easement to the individual(s) who hold(s) the following elected or appointed municipal office(s) or employment position title(s): Mayor and/or City Controller.

CERTIFIED TRUE COPY
I, Julie Holcomb, Clerk of City of Ithaca, hereby certify that the foregoing is a full, true, and accurate copy of a resolution duly and regularly adopted by the governing body of the municipality, at a meeting duly and regularly held on January 15, 2020, at which quorum was present throughout, and the required majority of the governing body voted in favor of this resolution. I further certify that this resolution is still in full force and effect and has not been revoked or modified.
Dated: _________

______________________________
Signature: Affix Seal of Municipality Here
Clerk
To: City Administration Committee  
From: Liz Klohmnn, Director  
Re: Authorizing Resolution and Certification for EPF Grant Funding  
Date: 1/15/20

The Youth Bureau was awarded a matching grant in the amount of $523,269 from the Environmental Protection Fund Grant Program for Parks, Recreation, Preservation and Heritage (EPF) for the Enclosure of Cass Park Rink.

To receive the award from a grant program administered by the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”), we must submit a duly adopted Resolution and Certification approving the City’s acceptance of grant funds and delegating signing authority to execute the New York State Master Contract for Grants and any deed of easement that may be required.
3. Finance, Budget and Appropriations
.2 Police – Request to Amend 2020 Budget for Grant

WHEREAS, the Ithaca Police Department recently received a $10,000 grant from the Jason Sokoloff fund of the Jewish Commercial Fund, and

WHEREAS, the grant is to be used for a ground control and arrest training room, which will improve the hands-on skill for the officers during arrest situations; now, therefore be it

RESOLVED, That Common Council hereby amends the 2020 Authorized Police Department budget for said grant as follows:

<table>
<thead>
<tr>
<th>Increase Revenue Account:</th>
<th>Police Gifts and Donations</th>
<th>$10,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3120-2705</td>
<td></td>
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<thead>
<tr>
<th>Increase Appropriation Account:</th>
<th>Police Contracts</th>
<th>$10,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>A 3120-5435</td>
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</tbody>
</table>
4. City Administration, Human Resources and Policy
.1 Request to Fly Pan African Flag

WHEREAS, the Community Life Commission was tasked with developing a policy regarding the flying of advocacy and commemorative flags on City facilities and protocols and procedures for flying flags at half-staff, and

WHEREAS, the Community Life Commission has reviewed an application to fly the Pan-African flag on City Hall during the month of February 2020 and has forwarded its recommendation of approval to Common Council for its consideration; now, therefore, be it

RESOLVED, That Common Council hereby approves the request to fly the Pan-African flag on City Hall during the month of February 2020.
Application for Flying of Advocacy Flag

Advocate Name/Organization: Henry Cushing
Address: 101 W. Falls, Ithaca, NY
Website: Phone: 607 547-8683

Contact Name: Henry Cushing
Contact Email: HenryCushing@gmail.com

Flag requested to be flown: Red Black Green Flag

What are the dates you would like the City to fly this flag?
From 2/1/20 to 2/24/20

Is there a specific location in the City where you would like to see this flag flying?

✓ YES: Choose from this list:
   ✓ City Hall (flag dimensions 3' x 5')
   ✓ Cass Park (flag dimensions 3' x 5')
   ✓ Stewart Park (flag dimensions A' x B')

   NO: The City may choose where it is most appropriate to fly this flag

Would the advocate like the flag returned after it is flown?

✓ YES: The advocate should make arrangements to collect the flag in a timely manner.

   NO: The City can take possession of the flag so it can be flown again.

NOTE: The advocate is responsible for determining whether the City already possesses the advocacy flag being requested. If the City does not possess it, the advocate is responsible for providing one to the City Clerk.

Applicant Signature: Henry Cushing Date: 12/13/19

Please submit this form with an image of the flag to XXXXX@CityofIthaca.org (City Clerk's email).
4. City Administration, Human Resources and Policy

.2 City Apprenticeship Incentive Program for Public Works Contracts

WHEREAS, the City of Ithaca from time to time undertakes construction contracts which involve the construction, reconstruction, improvement, or rehabilitation of buildings, facilities, and structures in the City of Ithaca; and

WHEREAS, the City of Ithaca is making considerable efforts to increase the number of jobs in the city, and is consistently advocating for quality employment opportunities for city residents, in particular young people in the city; and

WHEREAS, maintaining a qualified and skilled labor force is essential to a healthy and dynamic local economy; and

WHEREAS, per Common Council resolution of January 2005, the City previously required all contracts in excess of $500,000 to include apprenticeship programs, repealing that requirement in December 2010 due to the “substantial expense incurred by the City … without a showing that this extra expense results in the local job creation that was originally intended; internal administrative problems associated with the selection process for qualified bidders …”; and

WHEREAS, the City has successfully implemented and/or funded other workforce development programs such as the Hospitality Employment Training Program, the Finger Lakes ReUse Job Skills Training program, and an internship program in the City’s Department of Public Works, each of which have successfully developed a talent pool of benefit to the City; and

WHEREAS, the Common Council is committed to providing such additional funding to pending, already-funded 2020 projects as may be necessary to cover the expenses of this Program’s cost arising from those projects; now, therefore, be it

RESOLVED, That the Common Council of the City of Ithaca does hereby establish the City Apprenticeship Incentive Program as follows:

1. Any contractor that is awarded a contract by the City of Ithaca, and any subcontractors to that contractor, shall thereafter be eligible to participate in the City Apprenticeship Incentive Program for purposes of fulfillment of the awarded contract, thereby receiving:
   a. An incentive of $5 per hour for each hour worked by an eligible apprentice on the awarded contract, subject to a minimum of 100-hours of apprentice work on the project per Program-participating contractor or subcontractor,
   b. Up to an aggregate project-wide maximum of 2% of the total contract amount.

2. In order to qualify under the preceding paragraph, the contractor and/or subcontractors must:
   a. Reasonably demonstrate as part of its application to the Program that the eligible apprentices to be employed on the project are either (or both)
      i. residents of the City of Ithaca, or
ii residents of Tompkins County who also either satisfy the definition of “minority group member” in New York State Executive Law Section 310(8) or are women (or both), and
b. maintain or participate in a bona fide New York State Apprentice Program approved by the Division of Apprentice Training of the Department of Labor for each apprenticable trade or occupation represented in their workforce and must abide by the apprentice to journeyman ratio for each trade prescribed therein in the performance of the contract,

and, be it further

RESOLVED. That Common Council directs that the City Apprenticeship Incentive Program be funded by the department responsible for funding of each associated contract, except that where the City has agreed to bid out a contract for an outside entity (generally, a non-profit organization), which outside entity is in fact paying the cost of that contract in part or whole, the outside entity shall also be responsible for reimbursing the City for the out-of-pocket costs of the Program incurred by the City in connection with that contract; and, be it further

RESOLVED. That the department responsible for accepting the certified payroll of the contractor pursuant to any given public works contract shall also be the department responsible for administering the Program with respect to that project, in accord with a Program Participation Agreement, including by tracking the per-project costs of this Program; and, be it further

RESOLVED. That the Engineering Office of the Department of Public Works together with the City Attorney’s Office and the Controller’s Office shall prepare a template Program Participation Agreement for use under this Program, containing recommended terms not inconsistent with this resolution; and, be it further

RESOLVED, That this resolution shall take effect 90 days after passage.
Amending Resolution:
By Alderman Coles: Seconded by Alderman Mohlenhoff
RESOLVED, That the third, fourth, and fifth Resolved clauses be amended to read as follows:
“RESOLVED, That Common Council hereby authorizes the Mayor to sign said contract, upon consultation with the Attorney for the SJC, and be it further
RESOLVED, That said contract shall be contingent on its approval of the contract by the Towns of Ithaca and Dryden, and be it further
RESOLVED, That in accordance with the performance contract to be negotiated by the IAWWTF Chief Operator and JCI, funding for said project minus the $406,179 NYSERDA grant award will be provided by the owners based on the following schedule,”

Carried Unanimously

Main Motion As Amended:
A Vote on the Main Motion as Amended resulted as follows:

Carried Unanimously

9.4 Findings and Recommendations on the Apprenticeship Policy

Background
In 2001 the New York State Legislature adopted a new law (Labor Law, Section 816-b) that gives municipalities the option of requiring contractors and subcontractors for a construction contract (to which the municipality is a direct or indirect party) to have apprenticeship agreements (providing for the approved training and placement of apprentices).

In January 2005 Common Council exercised its authority under said statute, and adopted a resolution that required that all City construction contracts for more than $500,000 “must include contractors that participate in New York State certified apprenticeship programs,” that this requirement is to be imposed upon “all bidders and all subcontractors under the bidder,” and is to apply to “each apprenticeable trade or occupation represented in their workforce,” and that all bidders and their subcontractors “must abide by the apprentice-to-journeyman ratio for each trade prescribed therein,” but that 25% of the monetary value of the general contract may be exempted from the apprenticeship requirement “to permit the use of small or specialty subcontractors who would otherwise be excluded”.

By 2009 the Mayor and the Council had become aware of certain problems and concerns associated with the implementation of the City’s Apprenticeship Policy. As a result of these concerns, Common Council decided in December 2009 to suspend the Apprenticeship Policy until August 5, 2010, and to ask for a “working group” (including staff and Council members) appointed to research the matter to make a recommendation on the subject to Common Council before August 5, 2010.

The working group, which consisted of Mayor Carolyn Peterson, Alderpersons J.R. Clurborne (Chair), Dan Cogan, and Eddie Rooker; and Staff members City Attorney Daniel Hoffman, Building Commissioner Phyllis Radke, City Controller Steve Thayer, Assistant City Attorney Khandikile Sokoni, Assistant City Engineer Tom West, and Community Development Deputy Director Sue Kittel, met regularly over the past year and heard directly from union representatives, affected contractors and others. Included among the various issues aired were difficulty in navigating the intricacies of the policy, how the policy’s implementation affected competition, gauging and monitoring success via hires of local and diverse labor, and what other vehicle(s) could deliver the intended benefits per Common Council’s resolution of 2005 absent an apprenticeship policy.

Note: The working group viewed “local” as residents of Tompkins County.
The working group sought an extension until November 10, 2010 (Common Council Resolution of August 4, 2010), to allow the group additional time to complete its examination of, and deliberation about, the issue of the Apprenticeship Policy or possible alternative approaches to the goal of enhancing employment readiness and opportunities for City residents, particularly those who are young and/or disadvantaged, and to provide a recommendation to the Mayor and the Chair of the City Administration Committee.

Findings
The working group made the following findings:

1. The Apprenticeship Policy costs the City a significant amount of money (e.g. 2% extra for the Columbia Street bridge project, and 21% extra for the Cayuga Waterfront Trail Project) because, where applicable, the City is compelled, by this policy to award the contract not to the lowest qualified bidder but to one that also has a qualifying Apprenticeship Program.

2. The policy does not result in the placement of significant numbers of apprentices. For instance, for the South Aurora Street Bridge over Six-Mile Creek and Green Street project, which cost the City $2 million, approximately 11 hours out of a total of 8,512 hours were documented as hours worked by apprentices.

3. Apprenticeships are not widely available. For instance, at one time in the electricians’ apprenticeship program there were 250 applications for only 10 available slots.

4. A majority of the unions that are most likely to have apprenticeship programs cover multi-county areas. For instance, the painters’ union covers the Binghamton, Rochester, Buffalo, and Erie, Pa, area. Other unions cover similarly large areas and do not necessarily provide job opportunities locally.

Recommendations
The working group, having identified several flaws with the Apprenticeship Policy (including the substantial expense incurred by the City in selecting only those contractors with an accredited apprenticeship policy without a showing that this extra expense results in the local job creation that was originally intended; internal administrative problems associated with the selection process for qualified bidders whose apprenticeship programs qualify for consideration, etc), concluded that the existing Apprenticeship Policy had not yielded the intended results as outlined in the original resolution establishing the policy and that, as such, its continued implementation was not justified.

The working group supports a separate initiative to explore alternative ways of creating local job opportunities (possibly in conjunction with the Ithaca Urban Renewal Agency). Alderpersons J.R. Clairborne and Eddie Rooker undertook to continue exploring, in conjunction with the relevant City and IURA staff, other ways of generating the local job opportunities that were envisioned by the original apprenticeship policy. More specifically the working group would like Common Council to recommend that the IURA view the implementation of a job-training/skills-development program as a priority in accordance with the 2009-2013 City of Ithaca Consolidated Plan.

For the reasons and based on the findings outlined above, the working group recommends that the “Apprenticeship Policy” that was established by resolution of the Common Council of the City of Ithaca, on January 5, 2005, be repealed.

Discussion followed on the floor with Alderperson McCollister asking how the Findings were determined, particularly the cost differential. Alderperson Cogan explained that staff had researched the certified payrolls of the identified projects.

9.5 Repeal of the of the City of Ithaca’s Apprenticeship Policy - Resolution
By Alderperson Clairborne: Seconded by Alderperson Rooker
WHEREAS, in 2001 the New York State Legislature adopted a new law (Labor Law, Section 816-b) that gives municipalities the option of requiring contractors and subcontractors for a construction contract (to which the municipality is a direct or indirect party) to have apprenticeship agreements (providing for the approved training and placement of apprentices); and
WHEREAS, in January 2005 Common Council exercised its authority under said statute and adopted a resolution that required that all City construction contracts for more than $500,000 “must include contractors that participate in New York State certified apprenticeship programs;” that this requirement is to be imposed upon “all bidders and all subcontractors under the bidder;” is to apply to “each apprenticeable trade or occupation represented in their workforce;” and that all bidders and their subcontractors “must abide by the apprentice-to-journeyman ratio for each trade prescribed therein;” but that 25% of the monetary value of the general contract may be exempted from the apprenticeship requirement “to permit the use of small or specialty subcontractors who would otherwise be excluded;” and

WHEREAS, by 2009 the Mayor and the Council were made aware by staff of certain problems and concerns associated with the implementation of the City’s Apprenticeship Policy; and

WHEREAS, as a result of these concerns, Common Council decided in December 2009 to suspend the Apprenticeship Policy until August 5, 2010, and to ask for a “working group” (including staff and Council members) appointed to research the matter to make a recommendation on the subject to Common Council before August 5, 2010; and

WHEREAS, this working group, chaired by Alderperson J.R. Clairborne, met regularly over the past year and heard directly from union representatives, affected contractors and others; and

WHEREAS, the working group sought an extension until December 2, 2010 (Common Council Resolution of August 4, 2010), to allow the group additional time to complete its examination of, and deliberation about, the issue of the Apprenticeship Policy or possible alternative approaches to the goal of enhancing employment readiness and opportunities for City residents - particularly those who are young and/or disadvantaged - and to provide a recommendation to the Mayor and the Chair of the City Administration Committee; and

WHEREAS, the working group, having identified several flaws with the Apprenticeship Policy (including the substantial expense incurred by the City in selecting only those contractors with an accredited apprenticeship policy without a showing that this extra expense results in the local job creation that was originally intended; internal administrative problems associated with the selection process for qualified bidders whose apprenticeship programs qualify for consideration, etc), concluded that the existing Apprenticeship Policy had not yielded the intended results as outlined in the original Resolution establishing the policy, and that as such its continued implementation was not justified, and

WHEREAS, the 2009-2013 City of Ithaca Consolidated Plan, which sets priorities for spending of HUD Entitlement Funds in Ithaca, establishes a goal of Job Training and Placement in the City and job-training programs and/or job-creating activities have been funded yearly since 2004 under this program, and

WHEREAS, the working group supports these activities and the exploration of additional job-creating opportunities, possibly in conjunction with the IURA, and

WHEREAS, the working group has submitted a report to the Mayor and the Common Council with its findings and recommendations, now therefore be it

RESOLVED, That the “Apprenticeship Policy” that was established by resolution of the Common Council of the City of Ithaca, on January 5, 2005, be and hereby is repealed. Carried Unanimously

9.6 HUD Entitlement Program – Reaffirm Job Training as a Priority Community Development Need - Resolution
By Alderperson Clairborne: Seconded by Alderperson Rooker
WHEREAS, the City of Ithaca is making considerable efforts to increase the number of jobs in the city and is consistently advocating for quality employment opportunities for city residents, in particular young people in the city, and