AGENDA ITEMS

<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>
</tr>
<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>*Note: We will review the number of cards received at the beginning of each meeting and adjust time if needed.</td>
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<tr>
<td>1.3 Statements from the Public</td>
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<td>1.4 Council’s Response</td>
<td></td>
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<tr>
<td>2. Consent</td>
<td>Yes</td>
<td></td>
<td>5 Min</td>
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<tr>
<td>2.1 CC – Request to Release Funds form Restricted Contingency for the History Center</td>
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<tr>
<td>2.2 Controller – Amend 2019 Budget Judgements and Claims</td>
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<tr>
<td>2.3 DPW – Amend 2019 Authorized Budget for Grant</td>
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<tr>
<td>3. Finance, Budget and Appropriations</td>
<td>Yes</td>
<td>Addisu Gebre, Bridge Systems Eng.</td>
<td>5 Min</td>
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<tr>
<td>3.1 DPW - South Albany Street Bridge Project</td>
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<tr>
<td>3.2 Youth Bureau - Request for additional funds for Capital Project - Skylight Sealing Project</td>
<td>Yes</td>
<td>Liz Klohmann, YB Director</td>
<td>5 Min</td>
</tr>
<tr>
<td>3.3 Establishment of a Reserve Fund for Maintenance on the Primary and Secondary Commons</td>
<td>Yes</td>
<td>Ari Lavine, City Attorney</td>
<td>5 Min</td>
</tr>
<tr>
<td>4. City Administration, Human Resources and Policy</td>
<td>Yes</td>
<td>Julie Holcomb, City Clerk</td>
<td>10 Min</td>
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<tr>
<td>4.1 Updated Ordinance Entitled “Vehicles Removal Of”</td>
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<tr>
<td>4.2 Attorney - Permit to Allow Intercity Bus Pickup and Dropoff for FlixBus, Inc.</td>
<td>Yes</td>
<td>Ari Lavine, City Attorney</td>
<td>10 Min</td>
</tr>
<tr>
<td>4.3 HR - Revised – Establishment of Acting Department Head and Department Head Salaries Upon Promotion</td>
<td>Yes</td>
<td>Schelley Michell-Nunn, HR Director</td>
<td>10 Min</td>
</tr>
<tr>
<td>5. Discussion</td>
<td>Yes</td>
<td>All</td>
<td>20 Min</td>
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<tr>
<td>5.1 Council Rules of Procedure</td>
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<td>5.2 Advocacy Flags</td>
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<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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<td>6.2 Next Meeting Date: March 18, 2020</td>
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<tr>
<td>6.3 Review Agenda Items for Next Meeting</td>
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<td>6.4 Adjourn</td>
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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/
Reminder of the Future Change in CA Meeting Schedule. Beginning July 2020, the CA Meetings will be the 4th Wednesday of each month. The following schedule are the meeting dates for the remainder of the year.

March 18, 2020
April 15, 2020
May 20, 2020
June 17, 2020
July 22, 2020
August 26, 2020
September 23, 2020
October 28, 2020
November 25, 2020*
December 23, 2020 *

* Alternate dates are required due to holidays. Dates to be determined at a later time.
2. Consent
.1 Request to Release Funds from the 2020 Authorized Contingency Funds for the Tompkins Center for History and Culture

WHEREAS, the Tompkins Center for History and Culture (TCHC) has requested financial support from the City toward their Capital campaign for the Ithaca Heritage Center on the Ithaca Commons; and

WHEREAS, as part of the 2020 Authorized City of Ithaca Budget, $10,000 was placed in Restricted Contingency for the purpose of financial support to said TCHC Capital Campaign; now, therefore be it

RESOLVED, That Common Council hereby authorizes and directs the City Controller to make the following appropriation to the 2020 Authorized Budget:

<table>
<thead>
<tr>
<th>Decrease:</th>
<th>Appropriation Account A1990 Restricted Contingency</th>
<th>$10,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase:</td>
<td>Appropriation Account A1210-5435 Mayor Contract</td>
<td>$10,000</td>
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<tr>
<td></td>
<td>for the purpose of transferring funds to the Tompkins Center for History and Culture Capital Campaign</td>
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</tbody>
</table>
2. Consent
   2. Controller – Amend 2019 Budget Judgements and Claims

WHEREAS, during 2019, the City experienced an increase in expenses related to litigation; and

WHEREAS, during 2019, the City collected higher than budgeted revenue for sales tax; now, therefore be it

RESOLVED, That Common Council hereby amends the 2019 authorized Budget to account for the increase in litigation expenses as follows:

   Increase Revenue Account:
   A0001-1101  Sales Tax  $300,000

   Increase Appropriation Account:
   A1930-5000  Judgement and Claims  $300,000
2. Consent

.3 DPW – Amend 2019 Authorized Budget for Grant

WHEREAS, the Ithaca Area Wastewater Treatment Facility (IAWWTF) received a $9,000 grant from Ithaca College through the Park Foundation in 2019 to purchase lab equipment for the Wastewater Treatment lab to assist with research related to microplastics in Cayuga Lake; and

WHEREAS, the lab equipment would include a monitor, microscope camera and microscope; now, therefore be it

RESOLVED, That Common Council hereby amends the 2019 Authorized IAWWTF budget for the Park Foundation Grant as follows:

Increase Revenue Account:
J8150-2705 Gift & Donations $9,000

Increase Appropriations Account:
J8150-5496 Lab Supplies $9,000
3. Finance, Budget and Appropriations
.1 DPW - South Albany Street Bridge Project

WHEREAS, a project for the rehabilitation of the South Albany Street Bridge over Six Mile Creek, P.I.N. 375668 (“the Project”) is eligible for funding under Title 23 U.S. Code as administered by the Federal Highway Administration (FHWA), as amended, that calls for the apportionment of the costs 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 Scoping and Preliminary Design; and

WHEREAS, this project constitutes a reconstruction of facility in-kind on the same site as well as maintenance or repair involving no substantial change in an existing facility, and is therefore a Type II action under the National Environmental Policy Act (NEPA) Regulation and in accordance with 6 NYCRR Part 617 requiring no environmental review; and

WHEREAS, on October 11, 2019, $155,000 (80% Federal and 20% Local Share) project funding for the project was made available by the New York State Department of Transportation to cover the cost of participation in Scoping and Preliminary Design; now, therefore, be it

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 Scoping and Preliminary thereof; and be it further

RESOLVED, That the sum of $155,000 is hereby appropriated from Capital Project #XXX and made available to cover the cost of participation in the above phases of the project; and be it further

RESOLVED, That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, 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 be it further

RESOLVED, That funds needed for said project shall be derived from the issuance of Serial Bonds with the City’s estimated share of the project cost not to exceed 20% or $31,000; and be it further

RESOLVED, That the Mayor of the City of Ithaca of the County of Tompkins be and is hereby authorized to sign all necessary Agreements with New York State Department of Transportation to secure Federal Aid and Marchiselli Aid on behalf of the City of Ithaca and the Superintendent of Public Works is authorized to sign all necessary construction documents, contracts, certifications and reimbursement requests; and be it further
RESOLVED, That the Superintendent of Public Works be and is hereby authorized to administer the above project; 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 be it further

RESOLVED, That this Resolution shall take effect immediately.
MEMORANDUM

TO: City Administration Committee
FROM: Addisu Gebre, Bridge Systems Engineer
DATE: January 28, 2020
RE: South Albany Street Bridge Project

Please find attached a resolution seeking Common Council authorization to pay in the first instance 100% of the Federal and non-Federal share of the project cost.

On October 9, 2019, $155,000 in federal funding for the project was made available by the New York State Department of Transportation to cover the cost of participation in Scoping and Preliminary Design. The City of Ithaca will be reimbursed for 80% of eligible project cost up to $124,000, and any additional cost after that up to the total authorization will be the City’s responsibility.

I have attached a copy of the South Albany St. Bridge Project funding details on the 2020-2024 Transportation Improvement Program (TIP) that was approved by Ithaca-Tompkins County Transportation Council-Policy Committee.

The project will include replacing or rehabilitating the existing bridge to eliminate the bridge structural deficiencies and reconstruct the immediate approaches. Construction is scheduled for 2022 spring and a public information meeting will be scheduled later this year.

If you have any questions, please call me @ 607-274-6530 or email me agebre@cityofithaca.org

cc: Tim Logue, Director of Engineering Services

“An Equal Opportunity Employer with a commitment to workforce diversification.”
TIP date 2019  PIN 375668  BIN 2210420
Project Name South Albany St. Bridge over Six Mile Creek
Sponsor City of Ithaca
Description Replace/Rehabilitate South Albany St. Bridge over Six Mile Creek and reconstruction of approaches. BIN 2210420. City of Ithaca, Tompkins CO.

<table>
<thead>
<tr>
<th>Fund Source:</th>
<th>NHPP</th>
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<tbody>
<tr>
<td>Project Element</td>
<td>Funding</td>
</tr>
<tr>
<td>A-1-Scoping</td>
<td>NHPP</td>
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<tr>
<td>B-4-Preliminary Design</td>
<td>NHPP</td>
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<tr>
<td>C-7-Detailed Design</td>
<td>NHPP</td>
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<tr>
<td>G-18-Construction</td>
<td>NHPP</td>
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<tr>
<td>H-22-Inspection</td>
<td>NHPP</td>
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<tr>
<td><strong>Total:</strong></td>
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<td>Federal Funding:</td>
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<td>State Funding:</td>
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<td>Local Funding:</td>
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ITHACA-TONMPKINS COUNTY TRANSPORTATION COUNCIL
2020-2024 TRANSPORTATION IMPROVEMENT PROGRAM

49
3. Finance, Budget and Appropriations

.2 Youth Bureau - Request for additional funds for Capital Project - Skylight Sealing Project

WHEREAS, in 2019 the Youth Bureau was approved for a capital project in the amount of $58,700 to have the skylights sealed; and

WHEREAS, sealing the skylights utilizing a liquid applied reinforced waterproofing system, with a warranty of 20 years, is a comparatively cost effective measure and provides a long term solution that is more affordable than other potential solutions that were considered; and

WHEREAS, initial bids were received and were over budget, and the project was rebid; and

WHEREAS, the current low bid of $74,250 is significantly more than the budgeted amount; and

WHEREAS, the Youth Bureau continues to experience leaks during rainstorms and ice melts due to the failing skylights joints, and in order to undertake the project, additional funding of $26,000 is required; and

WHEREAS, the additional money provides a 5% contingency for changes, covers the financing costs and the charges for construction administration (approval of designs); and

WHEREAS, the current balance in the Unrestricted Contingency Account is $110,000; now, therefore be it

RESOLVED, That Common Council approves a transfer in an amount not to exceed $26,000 from the Unrestricted Contingency Account to Capital Project #859 Youth Bureau Sky Light Improvement for the purpose of funding said improvements.
To: City Administration
From: Liz Klohmann, Director
Re: Youth Bureau Skylight Sealing Capital Project
Date: February 4, 2020

In 2019 the Youth Bureau was approved for a capital project in the amount of $58,700 to have the skylights sealed. Previous efforts to seal the skylights have been costly and have failed within 5 years. Sealing the skylights utilizing a liquid applied reinforced waterproofing system with a warranty of 20 years is a comparatively cost effective measure and provides a longtime solution that is more affordable than other potential solutions that were considered. The project was put out for bid in the fall of 2019 and all bids came in well over the cost projections and the resulting Capital Project budget. The project was rebid and while significantly lower than the fall 2019 bid still surpasses the approved amount. The current low bid is $74,250.

The Youth Bureau continues to experience leaks during rain storms and ice melts due to the failing skylights joints. The design of the skylights relies solely on the caulk between panels to make them weather tight. The most recent caulk installation has failed in countless locations and will continue to deteriorate. In order to complete the project we are requesting an additional $26,000 from the contingency fund to be added to the YB Skylight Capital Project so the work can be completed in 2020. The additional money provides a 5% contingency for changes, covers the financing costs and the charges for construction administration (approval of designs). We have worked closely with the City Engineering Department on each step of this process and they will oversee completion of the project when awarded.
3. Finance, Budget and Appropriations
.3 Establishment of a Reserve Fund for Maintenance on the Primary and Secondary Commons

WHEREAS, in closing out the Commons Repair and Upgrade project, City staff have been in active discussions with the various entities who performed design, consultation, and/or construction work on the Commons project in order to resolve disputes without resorting to litigation; and

WHEREAS, as a product of these discussions, Sasaki Associates, Inc. the City’s consultant providing architecture and design services, has agreed to pay the City $250,000 in settlement of all claims; and

WHEREAS, the Commons continues to be a central feature of the City’s downtown, and staff have found that often Commons maintenance issues arise requiring quick attention and are outside the regular operational and anticipated Commons budget; and

WHEREAS, staff wish to reserve funding for maintenance issues that would preserve the functionality of the Commons and are not otherwise budgeted for on an annual basis, with examples of these currently non-budgeted maintenance items and improvements including but not limited to the following:

installation of bank alley electrical timers; replacement of GFI’s; additional murals in garages in order to prevent additional graffiti; purchase and installation of additional security cameras; replacement of broken glass panels; removal/replacement of kiosks; replacement of boards on benches; restoration issues related to major events not otherwise attributable to the event; installation of Wi-Fi receptacles; installing additional outlets; additional big belly trash cans; additional Commons bike racks; new signage for bus loading areas, Commons rules, and bikes; and other improvements related to bus accessibility;

now, therefore, be it,

RESOLVED, That Common Council hereby instructs the City Controller to apportion the $250,000 payment by Sasaki Associates as follows:

1. establish a Commons Reserve Fund in the amount of $125,000 in order to complete repairs and improvements on the Primary and Secondary Commons as needed and described above, and

2. devote the remaining $125,000 of such payment towards the City’s debt on the Commons Repair and Upgrade project, capital project #724, in such a manner as the City Controller deems most efficient.
4. City Administration, Human Resources and Policy
   .1 Updated Ordinance Entitled “Vehicles Removal Of”

An Ordinance to Amend Chapter 317 of the City of Municipal Code entitled “Vehicles, Removal of”

ORDINANCE 2019 -

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

Section 1. Chapter 317 of the City of Ithaca Municipal Code is hereby amended as follows:

§ 317-1 Definitions.

Unless otherwise expressly provided, for the purpose of this chapter, the following words shall have the meanings herein indicated:

ABANDONED VEHICLE

A vehicle that has been left unattended and has not moved in 72 hours on any public street, highway or parking facility.

CITY

The geographical area of the City of Ithaca.

FOR HIRE

Includes any incident where a fee, charge or other consideration is, directly or indirectly, imposed for towing, carrying or removing any vehicle, and shall be inclusive of repairs made on a towed vehicle for a consideration, although no charge is expressly imposed for the towing of such a vehicle.

NONCONSENSUAL TOW

The towing of a vehicle made at the request of someone other than the owner or operator of the vehicle towed.

OPERATE

Includes the control and direction of the use of a vehicle for towing from places within the City of Ithaca, for hire.

PERSON

Includes an individual, partnership, unincorporated association, corporation or other entity.

TERMINAL

Any place of business of a tow truck operator located within the County of Tompkins.
TOWING
The moving of a vehicle from public or private property by another vehicle for hire.

TOW TRUCK
A vehicle which is equipped with a crane, winch or similar device designed to raise, remove or carry a motor vehicle or the front or rear end thereof.

TOW TRUCK OPERATOR
Includes a person owning, leasing or controlling one or more tow trucks and driving, operating or causing any such vehicle to be operated upon the public highways for hire.

VEHICLE
A motor vehicle, as defined in § 125 of the Vehicle and Traffic Law of the State of New York; a bus, as defined in § 104 of such law; a tractor, as defined in § 151-a of such law; a trailer, as defined in § 156 of such law; or a truck, as defined in § 158 of such law.

The City of Ithaca shall follow the provisions of the City of Ithaca Tow Service Requirements & Policy. Said policy shall be posted to the City website and filed in the City Clerk’s Office.

§ 317-2 Police Department tow truck list: requirements; application.
A. Every tow truck operator who wishes to be included in the Police Department's tow truck list and/or heavy vehicle tow truck list for towing ordered by the Police Department pursuant to the provisions of this chapter shall meet the following requirements:

(1) Each tow truck shall be kept fit, of good appearance and in safe condition for towing.

(2) Each tow truck shall have inscribed on the outside of each front door the trade name and business address of the tow truck operator, in letters not less than two inches in height, either painted or otherwise securely affixed to both doors in a conspicuous place.

(3) Each tow truck shall have a fire extinguisher, safety flares, tow chain, pry bars, and suitable brooms, shovels and containers for cleanup.

(4) A schedule of fees as listed in this chapter shall be posted in a conspicuous area on the premises of each tow truck operator and shall be made available upon demand to the general public. A copy of their towing fees must also be kept in the tow truck.

(5) Tow truck operators shall be responsible for removing glass or other injurious substances dropped upon the public highway by the towed vehicle.

(6) Tow truck operators shall keep a record of calls and the fees charged for any towing transaction. Said records shall be made available to the Ithaca Police Department upon request.
(7) Tow truck operators shall own, operate and maintain a bona fide terminal within Tompkins County where they will store vehicles towed from within the City of Ithaca. The terminal shall be identified by a legible, conspicuously displayed sign. The sign shall include the name and telephone number of the tow company and be a minimum size of two feet by two feet.

(8) The terminal must be fenced, locked and lighted in a manner to ensure the safety of vehicles stored on the premises.

(9) Tow truck operators shall allow for the properly authorized release of motor vehicles in their custody 24 hours a day, seven days a week. They may charge an extra fee for vehicles that are retrieved after their regular operating hours as set forth in § 317-14A(6) below.

(10) Tow truck operators shall not exceed the gross combined weight rating of their tow trucks.

B. A tow truck operator who wishes to be included in the Police Department's tow truck list(s) shall file with the Police Chief documentation showing that he/she is insured against public liability in the limits required by law, which insurance certificate shall name the City of Ithaca as an additional insured party, as well as an application upon forms to be furnished by the Police Chief, verified under oath, and stating:

(1) The name and address of the tow truck operator and the address of the place from which the tow trucks are proposed to be garaged and dispatched, specifying, in the case of an unincorporated association, the name and address of each member thereof and, in the case of a corporation, of each officer and stockholder.

(2) The location of any and all depots and terminals proposed to be used by the applicant.

(3) Whether the operator wishes to be included on the heavy vehicle tow truck list.

(4) Any other relevant information which the Police Chief may require.

C. After review of the application, and provided that the tow truck operator meets the requirements of Subsection A above, the Police Chief shall place the tow truck operator on the Ithaca Police Department's tow truck list and/or heavy vehicle tow truck list. The Police Chief shall establish reasonable rules and regulations for the inspection of tow trucks to ensure compliance with the requirements of this section.

D. Tow truck operators on the tow truck list shall be authorized to tow motor vehicles involved in accidents or to have motor vehicles towed or impounded for violations of law by order of the Ithaca Police Department pursuant to § 317-13 below, provided, however, that in instances where time is critical, such as in cases of a snow emergency or auto accident, the officers of the Police Department reserve the right, in their discretion, to call the next operator on the tow operator list if the operator that has been called fails to respond to the scene within a twenty-minute time frame.
§ 317-3 Removal from the Ithaca Police Department towing lists.

A. The Police Chief may remove any tow truck operator from the Police Department towing lists upon a finding that the tow truck operator:

(1) Violated any of the provisions of § 317-2A above.

(2) Violated any of the provisions of § 317-14, pertaining to removal and storage charges.

(3) Repeatedly refused calls or failed to answer calls from the Police Department for towing services.

(4) Failed to cooperate with Police Dispatchers or any member of the Ithaca Police Department at the scene of any accident or a scene where a vehicle is to be impounded or towed.

B. Removal for a first violation shall be for a period of up to six months, and for a second violation for a period of up to 12 months. A third or following violation may result in permanent removal from the list.

§ 317-4 Application for review.

A. Any tow truck operator whose application to be added to the Ithaca Police Department's towing lists has been denied or has been removed from the lists, may apply to the Common Council for a review of the action by the Police Chief.

(1) The application to review the Police Chief's determination shall be in writing, signed by the tow truck operator, and shall state his/her reasons for claiming that the Police Chief's determination was erroneous.

(2) The application for review must be filed with the Police Chief within 20 days of receipt by the tow truck operator, either by mail or in person, of notice of the Police Chief's decision.

(3) Upon the filing of the application for review, the Common Council shall appoint an ad hoc committee, consisting of three members of the Common Council, and hold a hearing on the application.

(4) The ad hoc committee of the Common Council shall, at the hearing, review the decision of the Police Chief, and, in its discretion, may receive new or additional evidence in support of or in opposition to the determination under review.

B. The ad hoc committee of Common Council, after the hearing, may either affirm the determination of the Police Chief or direct him to add or restore the tow truck operator to the Ithaca Police Department's tow truck list.
§ 317-5 Hearings.

A. The hearing by the ad hoc committee of Common Council shall be held on a date and at a place and hour designated by the committee.

B. The Police Chief shall give notice of the hearing, stating the name and address of the tow truck operator concerned, the subject matter of the hearing and the date, place and hour thereof, by mailing a copy thereof to the tow truck operator at the most recent known address of the tow truck operator, at least 10 days before such hearing.

C. The tow truck operator involved shall be entitled to be represented by legal counsel at the hearing and to present such testimony or other evidence in his own behalf as may be relevant to the subject matter of the hearing.

D. All witnesses shall be sworn and examined under oath.

E. Any tow truck operator aggrieved by a decision of the ad hoc committee of Common Council may apply to the Supreme Court of the State of New York for review under Article 78 of the Civil Practice Law and Rules.

§ 317-6 Authority of Police Department, Fire Department and Department of Public Works to impound and remove vehicles.

A vehicle may be removed by the Superintendent of Public Works, the Police Chief, the Fire Chief or their designated staff members Department of Public Works or by order of the Police Department in the following instances:

A. When any vehicle is found unattended on any highway or public parking lot within the City during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway or public parking lot upon which said vehicle is parked or abandoned.

B. When any vehicle is found unattended on any highway, public parking lot or private property within the city where said vehicle constitutes an obstruction to traffic, a safety hazard, has been left unattended and has not moved in 72 hours, or obstructs ingress to and egress from private property.

C. When any vehicle interferes, obstructs or restricts the mobility of or blocks the path of travel of a fire department emergency vehicle in any way, or hampers any fire department operation.

D. When a designated fire lane is obstructed in any manner, including the parking or standing of vehicles, on private or public property.

E. When any vehicle deters or hinders the immediate access to fire protection equipment or fire hydrants.

F. In instances involving property appurtenant to and obviously part of a one-, two-, or three-family residence.
D. G. Where notice is personally given to the owner or other legally authorized person in control of the vehicle that the area in which that vehicle is parked is reserved or otherwise unavailable for unauthorized vehicles and that such unauthorized vehicles are subject to being removed at the owner's or operator's expense.

E. H. Where a duly authorized traffic ticket for illegal parking has been issued.

F. Where written notice setting forth the following information was posted on the windshield of the vehicle:

(1) That the vehicle is illegally parked, abandoned or in trespass, as the case may be.

(2) That, if the vehicle is not first removed, it shall be towed after four hours to a local responsible wrecker service facility which will, of necessity, result in towing and storage charges accruing to the owner or person(s) in charge of the vehicle.

(3) The time and date when the notice was posted.

G. I. Where posted signage indicating that parking is not permitted. Such signage shall meet and maintain the following requirements: The signage must be prominently placed and be maintained for 24 hours prior to the towing or removal of the vehicle from the premises. The person posting the signs shall be responsible for documenting the date, time, and location that signs are placed and shall be required to provide that information to City officials upon request.

Agencies that fail to meet this requirement will be subject to reimbursing tow fees if deemed appropriate by City officials. The removal or use of these signs without proper authority shall be considered a civil violation punishable by Section 1-1 of the City of Ithaca Municipal Code.

§ 317-7 Procedure for towing ordered by the Ithaca Police Department.

A. Selection of a towing company.

(1) When the services of a tow truck are required, the Police Dispatcher on duty shall notify the appropriate towing company according to the guidelines hereinafter set forth.

(a) If the vehicle to be towed is under 10,000 pounds' gross weight (five tons), then the next towing company on the police tow truck list will be called. The Police Dispatcher will record the call in the "Police Towing" log.

(b) If the vehicle to be towed is over 10,000 pounds' gross weight (five tons), then the next tow truck on the heavy vehicle tow truck list will be called. The Police Dispatcher will record the call in the "Heavy Vehicle Police Towing" log.

(2) A towing company may not designate another towing company to answer the call. If a towing company is not available, the next towing company on the list will be called.

(3) The location of the incident shall not determine which towing company is to be called, unless life safety is involved. In such instance, the nearest operator to the scene will be called for assistance.
(4) — Requests of vehicle owner.

(a) — On request of the owner of the vehicle requiring towing, the owner may designate what towing company is to be called. This call will not be recorded in the police tow truck list, but will be recorded in a "Requests for Towing" log to be maintained by the Police Department. Such a request will not change the order of the police towing company list. When an owner does not designate a specific towing company and leaves it to police discretion, the next towing company on the police towing list will be called as set forth in this subsection.

(b) — On request of the owner of a vehicle for towing by the Automobile Association of America (AAA), the authorized AAA towing company will be called and the call placed in the "Requests for AAA Towing" log.

(c) — On request of the owner of a vehicle, the vehicle may be towed to any destination designated by the owner. In the event the vehicle is not towed to the storage yard of the towing operator, the owner of the vehicle shall make arrangements for payment of towing and storage fees with the operator of the tow truck and/or owner of the garage or other facility to which the vehicle is to be towed.

B. — In the event that a tow truck operator refuses to accept a call or does not answer a call, the next operator on the list will be called. The tow truck operator refusing or failing to answer a call will not be called again until the operator's name next appears in order to receive a call.

C. — No vehicle impounded by the Ithaca Police Department shall be released to the owner of such vehicle without proper authority for release from an authorized member of the Department.

D. — The Ithaca Police Department shall not be responsible for the payment of towing and/or storage of motor vehicles. Owners of vehicles are liable for the payment of all charges connected with towing or storage. It shall be the responsibility of the tow truck operators to arrange for the collection of all charges.

§ 317-8 Notice of removal.

Upon the removal and disposition of any vehicle by order of the Ithaca Police Department or Department of Public Works, it shall be the duty of the Ithaca Police Department to ascertain to the extent possible the owner of the vehicle or person(s) in charge of the vehicle and notify him/her of the following information as soon as practicable:

A. — That the vehicle has been towed, the location of the vehicle and the towing and storage costs accruing.

B. — That the vehicle may be claimed by paying the accrued costs or by posting a bond for such charges.

C. — That an investigation of the tow by an impartial officer designated by the Mayor regarding whether the tow was authorized by this section may be requested by applying, in writing, for such investigation within 15 days of receipt of notification of towing. Such application for investigation shall include the reason or reasons the applicant believes the tow was not authorized.

D. — That the owner will be liable for all towing and storage costs accrued until the vehicle is claimed and released from storage, unless it is determined that the tow was not authorized.
E. That if the vehicle is not claimed or an investigation requested within 15 days, the city shall confirm a lien against the vehicle for the amount of accrued towing and storage fees and proceed to sell the vehicle at public auction as provided by law. Any proceeds of sale shall be applied first to towing and storage charges. The city shall retain the balance of the proceeds.

§ 317.9 Towing and storage; towing investigation.

A. After the removal of any vehicle as provided in this chapter, the person authorizing the removal may cause such vehicle to be stored in a suitable place. The owner or person in charge of the vehicle may redeem the vehicle upon payment to the responsible tow truck operator of the amount of all expenses actually and necessarily incurred in effecting such removal, but not to exceed the removal charges as established by Common Council, or by posting a bond with the City Chamberlain or the responsible tow truck owner for the cost of said charges.

B. Towing investigation.

(1) In instances where a vehicle was removed by order of the Ithaca Police Department or Superintendent of Public Works, the owner or person in charge of the vehicle may request a towing investigation before an impartial officer designated by the Mayor to determine whether the towing of the vehicle is authorized by this chapter. The investigator will review documents and/or information related to the tow as provided by the applicant and by the Ithaca Police Department or Superintendent of Public Works. Such investigation shall be completed within 15 business days after the request therefor.

(2) The owner of the vehicle shall be liable for all towing and storage fees accrued during the time the vehicle remains unclaimed, or in storage, unless it is determined that the tow was not authorized by this section.

(3) If it is determined that the tow was not authorized under this section, the owner of the vehicle shall be discharged from any obligation for the removal and storage charges. The City of Ithaca shall be responsible for the removal and storage charges in all cases where the removal was effected by the Superintendent of Public Works or by order of the Ithaca Police Department.

(4) If the owner or person in charge of the vehicle does not claim the vehicle or request an investigation within 15 days of being notified of the tow, the city shall be entitled to assert a lien against the vehicle for the amount of accrued towing and storage fees and proceed to sell the vehicle at public auction as provided by law.

§ 317.10 Procedures for failure to plea or respond to parking violation notices.

Whenever a person has failed to respond to at least five separate notices of violation for separate parking violations, the City may send to the owner of the motor vehicle by mail a notice to the effect that such person has failed to respond to at least five separate notices of violation for separate parking violations and that the owner’s vehicle is subject to being impounded and/or being immobilized. Upon the mailing of such letter, the owner of the vehicle shall immediately be responsible for the cost of sending such notice, including administrative overhead. The owner shall have 10 days from the date of mailing of such letter to respond to the notices of violation. If
the owner does not respond to all the notices of violation within said ten-day period, and thereafter the vehicle is found unattended, parked upon a street or any City-owned property or property under the jurisdiction or control of the City, the vehicle may be impounded by or under the direction of an officer or designated employee of the Police Department, the Chief of Police or Superintendent of Public Works or their designees giving authorization to a commercial towing or wrecker service to tow the vehicle and store it in a safe place until claimed by the owner; or it may be immobilized by or under the direction of an officer or designated employee of the Police Department, the Chief of Police or Superintendent of Public Works or their designees in such a manner as to prevent its operation.

§ 317-11 Liability.

The operator of a vehicle shall be liable for the fines and penalties imposed for violations of improper parking, standing, or stopping. In addition, except as provided in § 239, Paragraph 2, Subdivision b or e, of the New York State Vehicle and Traffic Law, the owner of the vehicle, even if not the operator thereof, shall be jointly and severally liable with the operator thereof if such vehicle was used or operated with the permission of the owner, express or implied, but in such case the owner may recover any fine or penalties paid by him/her from the operator.

§ 317-12 Number of public auctions.

The public auctions required herein and pursuant to the New York State Vehicle and Traffic Law shall be conducted by the City as often as is necessary in its discretion, but in no event less often than three times per year at intervals of approximately four months.

§ 317-13 6 Procedures for private property towing.

A. Vehicles may be towed away or removed without additional notice to the owner in the following instances:

(1) From property appurtenant to and obviously a part of a one-, two-, or three-family residence.

(2) Where notice is given to the owner or other legally authorized person in control of the vehicle that the area in which that vehicle is parked is reserved or otherwise unavailable for unauthorized vehicles, and that such unauthorized vehicles are subject to being removed at the owner's or operator's expense.

B. Additional notice required. Private property owners shall not authorize or participate in the towing, storage or disposition of vehicles illegally parked or abandoned unless the owner or person(s) in charge of the vehicle shall be notified by one of the following methods:

(1) By posted signage on the premises meeting the following requirements:

(a) The notice must be prominently placed on the premises and be continuously maintained on the premises for 24 hours prior to the towing or removal of any vehicle from the premises;

(b) The notice must clearly indicate, in letters not less than two inches high on a contrasting background, that unauthorized vehicles will be towed away at the owner's or operator's expense. The notice must state clearly how long, if at all, or under what conditions a vehicle may park before being towed or removed from the premises;
(c) The sign structure must comply with the provisions of Chapter 272, Signs; or

(2) By issuance of a duly authorized traffic ticket for illegal parking. A vehicle tow report will be completed by the Police Department and name the property owner as the complainant.

C. If the vehicle is not removed after proper notice is given as set forth above, the vehicle may be towed immediately thereafter. in accordance with the procedure under § 317-14 below.

D. If the vehicle is to be towed by order of a private property owner after such notice as required in Subsections A and B above, the tow truck operator shall inform the Ithaca Police Department 911 Dispatch Center immediately after removal. The identifying information regarding the vehicle shall be entered into a log to be maintained by the Police Department 911 Dispatch Center.

E. When towing of a vehicle from private property is being effected pursuant to this section, the towing operator called must be one listed on the City of Ithaca rotation list, who maintains a bona fide terminal within Tompkins County, and the vehicle so towed may not be stored at a location outside the County.

F. The Ithaca Police Department and the City of Ithaca shall not be responsible for the costs associated with towing a vehicle from private property. Tows from private property shall not be subject to a towing investigation as noted in § 317-9 above.

§ 317-14 Removal and storage charges; penalties for offenses.

A. Removal and storage charges for nonconsensual towing of vehicles in the City of Ithaca, whether on public or private property, are hereby established as follows:

(1) Removal charges shall not exceed $100.

(2) An additional fee, not to exceed $25, may be charged in the instance where a police officer makes the determination that a special problem or circumstance exists. A "special problem or circumstance" means the removal of any vehicle that involves additional steps such as snow removal, difficult access to a locked vehicle, extra cleanup, or winching. The use of dollies, flat beds, ramps, jacks, or slings are not considered a special problem or circumstance. A request shall be made by the tow truck operator to the police officer at the scene of the tow that the tow be treated as a special problem or circumstance removal. Reasons for the request shall be stated by the tow truck operator to the police officer at the scene and shall be recorded in the "Vehicles Towed" report. Approval or denial of the request is to be made at the discretion of the police officer at the scene of the tow and indicated on the "Police Towing" log. Denial of the request by the police officer shall cause the tow to be deemed an ordinary removal.

(3) Extraordinary removal charges shall be based on the actual costs of the use of the extraordinary equipment, plus labor charges. "Extraordinary removal" means the removal of any vehicle requiring the necessary use of one or more additional tow trucks, a crane or other extraordinary equipment other than regular or special towing equipment.

(4) A fee not to exceed $30 may be charged by the tow truck operator to the owner or operator of any vehicle requiring removal services as provided in this chapter whenever the
owner or operator appears to remove the vehicle after the tow truck operator has hooked up the vehicle for towing or removal, but before the vehicle has been removed from the scene.

(5) Storage fees not exceeding $25 per day or fraction thereof may be charged by the tow truck operator after the vehicle has been stored for more than 24 hours.

(6) An after-hours service charge not to exceed $25 may be charged by the tow truck operator whenever the tow truck operator is called to release a vehicle from the storage yard during the hours 9:00 p.m. to 7:00 a.m. Upon the request and tender of the required fee, it shall be the duty of the tow truck operator to release a stored vehicle at any time of the day and on any day of the week, including weekends and holidays unless there is a restriction or hold on such vehicle as per a law enforcement agency or by order of a court of competent jurisdiction.

(7) The costs for towing services rendered, pursuant to this section, are subject to the appropriate state tax.

(8) No additional fees, other than the fees that are set forth herein, shall be assessed against the vehicle.

B. Violation of any provision of this chapter shall be punishable by a fine of not more than $250 or by imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment. Towing operators, and/or their agents or assigns that violate the provisions as set forth herein are subject to removal from the City towing list for such period of time that the Chief of Police deems appropriate.

§ 317-15-7 Effective date.
This chapter shall take effect immediately and in accordance with law upon publication of notice as provided in the Ithaca City Charter.
MEMORANDUM

To: Common Council

From: Julie Conley Holcomb, City Clerk
Department of Public Information & Technology

Date: February 13, 2020

Subj: Towing Procedures in the City of Ithaca

The Ithaca Police Department and the City Clerk’s Office had been participating in a shared service initiative proposed by the Tompkins County Department of Emergency Response to streamline and standardize towing operations between the Ithaca Police Department, Tompkins County Sheriff’s Office, and the New York State Police – Troop C Zone 3. Unfortunately, Tompkins County is in the middle of several key staffing transitions and is not able to pursue this initiative in time to meet the City’s goals of having new towing regulations in place prior to the 2020 street cleaning program.

The City Clerk’s Office and the Ithaca Police Department would like to move ahead independently at this time while keeping the option of joining a shared service initiative at some point in the future. We are still partnering with the Tompkins County 911 Dispatch Center to ensure that they are willing and able to perform the tasks outlined in our proposed Tow Policy.

While we are on a slightly aggressive timeline, our intention is meet with the tow operators to ensure that we have developed a policy that all of us can agree to abide by. This meeting will most likely take place in between the City Administration Committee and the Common Council meeting due to time constraints. The proposed policy may be slightly adjusted before the Common Council meeting in order to respond to suggestions or concerns the tow operators may have.

The City Clerk’s Office and the Ithaca Police Department have agreed to share the duties involved in implementing and enforcing this policy.

The proposed rate structure has been modified to simplify it and to account for the fact that the City has not increased tow and storage rates in ten years.

The proposed revisions to Chapter 317 of the City Code entitled “Vehicles, Removal of” states that the City will follow the Tow Policy. This will allow the policy to be updated as needed. Major policy changes would be brought to Common Council for approval. If approved, the City Code would only contain the authority for certain city departments to tow vehicles and the circumstances they can tow for.
The offenses that City staff typically tickets and towels vehicles for are as follows:

- Being parked 12”+/ away from the curb causing and obstruction in the roadway
- Illegally parking in a bus stop/taxi stand/paid mobile food truck space
- Parking too close to a fire hydrant or in a fire lane
- Parking in a crosswalk or blocking a driveway
- Parking on private property without permission
- Parking in a truck loading zone (reserved for oversized trucks)
- Double parking
- Abandoned vehicles (vehicle parked without moving for 72+/ hours)
- Parking in a zoned marked “No Parking” (permanent and temporary zones)
- When multiple unpaid parking tickets have accrued
- *When a vehicle is legally parked, but an emergency occurs – the City typically reimburses those costs

Most of these offenses fall under the provisions of New York State Vehicle and Traffic Law, only a few relate to City Code provisions. Currently, the only departmental personnel authorized to tow vehicles are IPD and the Department of Public Works; however, the Ithaca Fire Department is requesting the authority to tow vehicles that are hampering fire operations and or impinging on public safety. This authorization would free up valuable police officer time.

I am further requesting that the requirement to conduct tow away appeals be repealed. The City of Ithaca is the only agency in Tompkins County that conducts tow away investigations and the New York State Vehicle & Traffic law does not have any provisions relating to tow appeals. The City Clerk’s Office remains willing to work with the Police, Fire, and Public Works departments to investigate complaints regarding violations of the Tow Policy, service agreements, and the associated rate schedules.

Please let me know if you would like further information or data prior to the City Administration Committee meeting so that I can be prepared to share that with you. As always, I am happy to answer any questions you have.
City of Ithaca
Tow Service Requirements & Policy

1. PURPOSE
The purpose of the establishment and implementation of the City of Ithaca Tow Service Requirements & Policy includes but is not limited to the following:

A. Providing a non-discriminatory, uniform system for the rotation of tow trucks for Public Works and Public Safety-generated requests.
B. Effectively serving the needs of the Public Works and Public Safety agencies, the Dispatch Center, the general public, and the towing companies.
C. Ensuring that tow companies comply with all applicable federal, state, county and city statutes, ordinances and regulations.
D. Ensuring all impound and storage yards used by tow companies on the rotation tow program comply with the requirements of applicable federal, state, county and city statutes, ordinances and regulations.
E. Ensuring Public Works and Public Safety agencies receive professional, reliable and capable towing and recovery services.
F. Assuring the motoring public is provided professional, efficient, reliable towing, handling, storage and recovery services.

2. POLICY
The City of Ithaca Tow Service Requirements & Policy, hereinafter referred to as “policy”, does not apply to and is not intended to hinder the activities of any private tow truck business in providing tow services to the general public and/or commercial agreements on a contractual or mutual consent basis. The Tow Service Requirements applies to requests through the Tompkins County Dispatch Center for tow truck services involving the following situations, including but not limited to:

A. Vehicles involved in accidents requiring the use of tow trucks to remove vehicles
B. Slide offs requiring the use of tow trucks to pull vehicles back on the roadway
C. Vehicles that are disabled and require a tow truck to remove
D. Unlawfully parked vehicles
E. Abandoned vehicles
F. Driver Arrest
3. TOWING AREA
   A. This policy shall establish the tow area for light/medium and heavy-duty types of tow trucks to facilitate the distribution of calls and meet the needs of public works and public safety agencies with regards to response time and availability of tow services.
   B. The rotation area is:
      1) The City of Ithaca
         a. Light/medium duty rotation tow truck companies on rotation will respond accordingly
         b. Heavy duty rotation tow companies operating in Tompkins County shall be dispatched upon request.

4. ROTATION
   A. The Tompkins County 911 Center shall maintain the rotation tow lists for light/medium duty and heavy-duty tow companies.
   B. Tow truck companies shall be dispatched according to their place on the rotation list.
   C. A call to a tow company shall constitute one turn on the list and the tow company shall move to the bottom of the list.
      1) This includes when a tow company fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service; or is canceled due to an excessive response time.
      2) Any company calling back to cancel or pass more than 25% of its call volume in a one-month period may receive disciplinary action as outlined in the standard suspension rules listed in Section 15.
   D. If it is determined the tow company is not needed and is canceled by Tompkins County, up to and including arrival on scene and standby time which does not result in a tow, the tow company shall be placed back at the top of the rotation list for that tow area.
   E. If the tow company responds to a call and is canceled by the vehicle’s registered owner or agent prior to the tow company taking possession of the vehicle, the tow company shall be placed back at the top of the rotation list.
      1) Possession is deemed to arise when the vehicle is completely attached to the tow vehicle and immediately ready to go into transit or has been removed and is in transit.
   F. Nothing in this policy shall prohibit a public works or public safety agency from requesting a specific tow company at the request of the vehicle’s registered owner or agent.
      1) On request of the owner of the vehicle requiring towing, the owner may designate what towing company is to be called. Such a request will not change the order of the tow rotation list. A note will be made on the tow log stating the owner or agent’s request.
      2) On request of the owner of a vehicle for towing by AAA or another automobile club, the authorized towing company will be called, and the call will be placed in the "Requests for AAA/ Auto Club Towing" log.
3) On request of the owner of a vehicle, the vehicle may be towed to any destination designated by the owner. In the event the vehicle is not towed to the storage yard of the towing operator, the owner of the vehicle shall make arrangements for payment of towing and storage fees with the operator of the tow truck and/or owner of the garage or other facility to which the vehicle is to be towed.

G. If two or more tow companies are called to the same incident scene, distribution of the vehicles shall normally be given by the Dispatch Center; however, it shall be at the discretion of the on scene public safety agency to change assignments if needed. The Dispatch Center shall be notified of any changes. The tow companies shall not change vehicle assignments unless directed by the on scene public safety agency to do so.

H. A tow company responding to and arriving at a scene, which was not dispatched, shall not tow any vehicle.
   1) The public safety agency may use any tow company as a necessary resource to immediately clear a hazard at their discretion. Such expediency clearance of a hazard does not constitute authorization to tow any vehicle from the scene, nor a charge to the owner or agent of the vehicle. If companies on the City of Ithaca Tow Rotation List are not available, the Tompkins County 911 Center is authorized to utilize other tow companies located within and outside of Tompkins County.

I. A tow company accepting a call under the rotation system must respond to the requested site with the company’s own equipment or equipment it has leased.

J. If another tow company takes the call on behalf of the tow company being dispatched, both companies shall be disciplined following the standard rules listed in Section 15.

K. Regardless of the class of a tow truck a tow company may send to a call, charges shall not be more than for the class of vehicle towed or serviced.

L. Tow companies and/or their operators are prohibited from “cruising” or jumping calls by listening to the police band radio or driving the roadways to solicit business in an effort to pre-empt the proper functioning of the rotation system.
   1) Tow companies or employees in company vehicles pulling up to any incident scene, such as accidents, slide offs, or break downs/disabled vehicles, that normally would have required law enforcement interaction shall turn on their overheads to warn traffic, determine if there are injuries and notify the Tompkins County Dispatch Center. Once the law enforcement agency arrives, the tow company or employee must leave the scene unless the officer requests their assistance as provided in Paragraph H-1.
   2) The tow company may be requested by the officer to move a vehicle to a safe location and leave it. The assistance provided shall not change the tow company’s place in the rotation.
   3) Any tow truck company cruising or jumping calls will be subject to disciplinary action following the standard suspension rules listed in Section 15.
5. RESPONSE TO CALLS

A. The tow company shall respond to calls 24-hours a day, seven (7) days a week within the maximum response time limits established by this policy.

B. An appropriate licensed tow truck driver shall respond with a properly equipped tow truck of the class required to tow the vehicle and be in possession of the appropriate class of license and applicable endorsements.

C. Response time is the time between notification by the Dispatch Center and time of the arrived at the designated scene. The maximum response times are:
   1) Light and/or Medium Duty = 30 minutes
   2) Heavy Duty = 60 minutes
   3) Abandoned vehicles not creating a traffic hazard = 60 minutes
   4) The response time requirements may be extended at the discretion of Tompkins County Dispatch due to circumstances that either hinder compliance or make it impossible to meet; such as inclement weather, blocked roads, or other similar conditions. The tow company is required to notify Dispatch of the reason for delay, ETA and current location.

D. The tow company shall advise Dispatch, at the time of notification, if they are either unable to respond or unable to meet the maximum response time.
   1) If, after accepting the call, the tow company is unable to respond or will be delayed in responding, the tow operator shall immediately notify Dispatch.

E. If a tow company accepts a call and fails to arrive at the scene within the maximum time limits, except in special circumstances, the call to that tow company may be voided and another tow company called to provide the required services. Disciplinary action shall be in accordance with the standard suspension rules listed in Section 15.
   1) Dispatch will log “Unavailable” every time required response times are not met.

F. A tow company dispatched to the scene of a traffic accident shall be responsible for the cleanup of debris and/or fluids caused by the vehicle involved in the accident from the travel portion of the roadway as required by NYS Vehicle and Traffic Law (VTL) Section 1219, and cleaned to the satisfaction of the public safety agency in charge of the accident. Cleanup shall be completed prior to the tow company leaving the scene. For non-compliance, disciplinary action shall be in accordance with the standard suspension rules listed in Section 15. If a public works or public safety agency performs the clean-up, the towing company forfeits the right to charge for clean-up fees.

G. A tow company working under this policy as a member offering AAA services will comply with the rules and policies governing accepting AAA service rates and fees unilaterally once sufficient proof of the vehicle owner or agent has proper AAA membership.
   1) A separate log will be maintained for owner or agent requests for AAA.

H. Transportation of customers may be done at the discretion of each tow company.
6. TOW COMPANY APPLICATION / RECERTIFICATION
A. The non-preference towing rotation list utilized by the City of Ithaca is open to any natural person or legal entity that owns or operates a tow and recovery business within Tompkins County.
B. For the purpose of application, to be on the towing rotation list within the City of Ithaca, “owns or operates” means having a bona-fide physical yard located within Tompkins County.
C. Tow companies participating on rotation within the City of Ithaca shall meet all the requirements outlined in this policy and applicable federal, state, county and/or city statutes, ordinances and regulations to remain on the rotation list to include:
   1) Comply with all equipment requirements listed in Appendix A.
   2) Obtain and display current certification of inspection for each tow truck as required by NYS VTL Article 5 and 5A.
   3) Ensure all tow truck drivers are properly trained to operate the equipment they are responding with and properly licensed as required under the NYS VTL Article 19.

7. APPLICATION AND ENROLLMENT
A. Tow companies wishing to be added to the City of Ithaca rotation program shall contact the City Clerk’s Office and request a tow application packet.
B. Completed forms shall be returned to the City Clerk or his/her designee.
C. The tow company shall notify the City Clerk in writing if they wish to be removed from the tow rotation list for a specific time period. Upon receipt, the tow company will be removed from the list and notified. It shall be the tow company’s responsibility to notify the City Clerk in writing when the tow company wishes to return to the tow rotation list. Tow companies returning to the list will be placed at the bottom.
D. Any tow company failing to meet or maintain all requirements and necessary equipment as set forth by federal, state, county, town, village, or city requirements for truck inspections and certifications or the requirements within this document shall be removed from rotation until such compliance requirements are fixed or corrected. Tow companies shall provide written documentation to the City Clerk’s Office requesting reinstatement to the rotation list.
E. Initial and periodic Commercial Vehicle Inspections including all tow company equipment, storage yard(s), and all company operations involved in towing and recovery will be conducted by the Ithaca Police Department. Tow companies who fail said inspections will not be allowed to continue with the application process nor be allowed to function off the tow rotation until the failed requirements of the inspection have been corrected as determined by re-inspection.
   1) Commercial inspection and re-inspection of a tow company will fall as scheduled with regard to the availability of the Ithaca Police Department.
F. If a change in address occurs for the principal office of a tow company, the tow company will notify the City Clerk’s Office of this change within five (5) business days.
G. If a change of ownership or control of the tow company occurs either by sale, transfer, or other legal means, the tow company will notify the City Clerk’s Office of this change within five (5) business days.

8. TOW COMPANY REQUIREMENTS

All tow companies participating on the rotation system shall:

A. Provide a telephone number to the Dispatch Center where the tow company can be reached 24-hours a day and maintain radio or cell phone communications with their tow trucks when responding to rotation calls.

B. Have a valid Business License for the storage yard issued by the municipality in which the yard is located.

C. Have current motor vehicle registration(s) issued by the State of New York for all tow trucks responding to rotation calls.

D. Ensure all drivers/operators have a current and valid driver license in their possession when operating a tow truck on a rotation call.

E. Provide documentation showing that they are insured against public liability in the limits required by law, which insurance certificate shall name the City of Ithaca as an additional insured party.

F. Maintain general premises liability insurance for each storage yard in use in such amounts as to cover losses that may arise at those facilities.

G. Have their trucks lettered with the company name on the doors of the truck. The name shall match the DOT number issued to the tow truck company. No magnetic, temporary, or removable signs or markings, nor non-lettered trucks will be allowed for rotation calls.

H. Comply with equipment requirements set forth in Appendix A and upon inspection.

I. Comply with all applicable motor vehicle laws enacted by the State of New York and exercise diligent and reasonable care when responding to rotation calls.

J. Comply with directions from public safety agencies, unless such acts would cause unnecessary damage or possible injury to the operator or others in the area.
   1) Operators must attempt to resolve these issues on scene prior to initiating the unsafe act using professional interaction with public safety agencies on scene.
   2) If the matter cannot be safely and professionally resolved, a public safety supervisor will be directed to the scene to resolve the issue.

K. Ensure all tow truck drivers are trained to operate the equipment they respond with and are licensed as required under the NYS VTL Title 5, and specifically as addressed in Articles 18, 19 and 20. Training and Certification is required for each driver/operator.

L. Ensures employees performing tow services on behalf of the tow company are both physically and mentally capable of performing the required duties.

M. Ensure all operators obtain a copy of their Criminal History and submit it with their tow application. **It is the responsibility of the Tow Company to accept or deny employment based on the operator’s criminal history.** Each tow operator must be identified at the time of application to the Tow Rotation List. Each tow operator must undergo a local background check and be free of felonies which will be reviewed on an annual basis. The City Clerk must
be notified of any changes to the tow operator list prior to any new operators being utilized in this program, as well as any felony convictions of current tow operators. Unauthorized tow operators may not be on scene of any tows within the City of Ithaca.

N. Represent a professional image. Employees shall wear clothing that is modest, functional, contributes to safety, and has a driver’s name attached.

O. While involved in the City of Ithaca rotation tow operations or related business, the tow company and/or employee(s) shall refrain from any acts of misconduct including, but not limited to, any of the following:

1) Rude or discourteous behavior to the public, Public Safety units, and competitors
2) Lack of service, selective service, or refusal to provide service which the tow company is capable of performing
3) Any act of sexual harassment or sexual impropriety
4) Unsafe driving practices
5) Exhibiting any objective symptoms or alcohol or drug use

P. Wear appropriate warning garments (e.g., vests, jackets, shirts, retro reflective clothing) for daylight and hours of darkness in accordance with OSHA Standards and NYS Traffic Incident Management (TIM) Best Practices.

Q. Only respond to a request for service with the equipment and persons necessary to complete the task.

1) Exception would be responding with a driver trainee.

9. TOWING and STORAGE FEES

Vehicle removal and storage charges shall not exceed those listed in Appendix B. All Tow Companies are required to post a copy of the schedule of fees in a conspicuous area on their premises and shall keep a copy of the schedule of fees in all tow trucks to be made available upon demand to the general public.

The towing company shall issue all customers an invoice with detailed charges and may only bill customers for the appropriate equipment and services necessary to complete the assignment. To be reimbursed for storage fees, the invoice must also include the date the vehicle was released. If a vehicle owner or agent requests a vehicle be towed to a specific location, the location must be indicated on the invoice. Any disputes in customer billing received will be reviewed by the City Clerk, a representative of the involved public works or public safety agencies or their designees, and the towing company.

A. No more than the maximum towing rates as defined by the City of Ithaca shall be charged. Charges shall not be more than for the class of vehicle towed or serviced.
B. No more than the maximum storage rates as defined by the City of Ithaca shall be followed.
C. A towing company who charges rates above those defined by the City of Ithaca, shall be subject to disciplinary action in accordance with the standard suspension rules listed in Section 15.
D. Tow companies contracted by insurance companies (AAA, Geico, etc.) agree to charge rates established by the insurance company.

10. STORAGE FACILITIES

Tow companies shall operate and maintain a bona fide terminal within Tompkins County where they will store vehicles. The terminal shall be identified by a legible, conspicuously displayed sign. The terminal must be fenced, locked and lighted in a manner to ensure the safety of vehicles stored on the premises. Tow truck operators shall allow for the properly authorized release of motor vehicles in their custody 24 hours a day, seven days a week, 365 days a year. Storage fees not exceeding $50.00 per day may be charged by the tow truck operator after the vehicle has been stored for more than 24 hours. (For example, if a vehicle arrives on Monday at 11:00 am, $50 may be charged at 11:00 am on Tuesday, then $50 each additional day at 11:00 am.) An after-hours service charge not to exceed $50.00 may be charged whenever the tow truck operator is called to release a vehicle from the storage yard during the hours of 9:00 p.m. to 7:00 a.m. This after-hours fee must be documented on the invoice along with the date and time of the release of the vehicle. No vehicle impounded by a law enforcement agency shall be liable for all towing and storage fees accrued during the time the vehicle remains unclaimed, or in storage. The costs for towing services rendered are subject to the appropriate state tax. No additional fees, other than the fees that are set forth herein, shall be assessed against the vehicle.

A. The tow company shall be responsible for the safekeeping and prevention of vandalism of all vehicles or removal of property/contents which are stored or impounded.

B. Storage facilities owned by a towing company and shared with another towing company or another business establishment shall be physically separated and secured from each other.

C. The tow company employees shall be properly trained to conduct business transactions related to towing, storage and release of vehicles/property. This includes the proper completion of invoices.

D. Tow company owners will ensure they or their employees are available during normal business hours to aid the public regarding towing issues.
   1) Unless directed by an appropriate law enforcement agency, a tow company or their employee shall release personal property from a vehicle, in compliance with state law, which has been stored at the request of the vehicle’s registered owner or agent.
      a) No property may be held as “collateral” or as part of any unpaid or pending tow charges.
   2) A receipt shall be provided for the removed property, with a copy placed in the stored vehicle. This procedure shall also apply to the removal of property by the tow company and/or their employee to a secured area within the business.
   3) In cases where a vehicle has been impounded for evidence or investigation, personal property will not be released until the vehicle has been cleared by the Law Enforcement agency handling the investigation.
4) No fee shall be charged for the release of personal property during normal business hours.
   a) An after-hours service charge not to exceed $50.00 may be charged whenever the tow truck operator is called to release property/contents from the storage yard during the hours of 9:00 p.m. to 7:00 a.m. This fee must be documented on the invoice along with the date and time of the release of property.

E. Tow companies must comply with NYS VTL Section 184(2) concerning vehicle liens.
F. Public auctions shall be held pursuant to NYS VTL. The City of Ithaca will conduct public auctions at least twice a year.

11. TOW COMPLAINTS
   A. All related tow service complaints received or initiated by the City of Ithaca against a tow company or tow company’s employees, shall be accepted and investigated in a fair and impartial manner.
      1) All complaints will be received in written form, with all applicable documentation included. Complaints will not be accepted verbally either in person or by telephone.
      2) The tow company and their employees shall cooperate with the City of Ithaca during the course of an investigation.

B. The tow company shall be notified in writing of the findings within 30 days of the conclusion of any complaint.

12. COMPLIANCE WITH LAW
   A. The tow companies and employees shall, always, comply with federal, state, and local laws and ordinances and all applicable court orders.
   B. Any conviction of the tow company, owner, operator, employee or driver involving a stolen or embezzled vehicle, fraud related to the towing business, stolen or embezzled property, a crime of violence, a drug-related offense, felony driving while under the influence or alcohol or drugs, misdemeanor driving while under the influence of alcohol or drugs, or moral turpitude may be cause for suspension or removal of a tow company or employee, or denial of a tow company/employer’s application, or termination from the tow rotation list.

13. COMPLIANCE WITH POLICY
   A. The tow company agrees, as a condition of inclusion in the tow rotation program, to comply with the terms and conditions of the policy. Furthermore, the tow company or company’s agent agrees that failure to comply with these terms and conditions shall be cause for disciplinary action (e.g., written reprimand, suspension, termination, or denial of an application).
   B. A violation of the equipment requirements related to safety shall be cause for suspension.
      1) The suspension shall remain in effect until the suspension period is completed and an inspection of the equipment has been made and concluded the tow company is in compliance.
C. A violation of overcharging or a pattern of overcharging shall be cause for suspension.  
   1) The suspension shall remain in effect until the suspension period is completed and 
      proof of reimbursement to the aggrieved customer(s) has been provided to the City 
      Clerk.

D. Allowing an incompetent, unprepared, or untrained tow truck driver to respond to a 
   rotation call shall be cause for disciplinary action of the tow company.

E. A tow company sending a tow truck driver to a rotation call (e.g., those drivers dispatched 
   by the tow company’s business) for whom the following information has not been 
   submitted, shall be cause for disciplinary action of the tow company:
      1) Tow Operator/Driver Information 
      2) Documentation indicating completion of an approved tow truck driver training 
         program such as Wreckmaster.

14. DISCIPLINARY ACTION
   A. The City of Ithaca shall take disciplinary action against a tow company for violations 
      investigated and sustained. Furthermore, the tow company agrees that failure by the tow 
      company to comply with these terms and conditions shall be cause for disciplinary action 
      (e.g., written reprimand, suspension, denial of an application, or termination from the Tow 
      Rotation Program).
         1) The City of Ithaca shall retain discretion regarding the length of any suspension 
            imposed pursuant to the terms and conditions of this policy.
   B. Nothing shall preclude the City of Ithaca from taking the appropriate enforcement or 
      administrative action for any violations of the law.
   C. Nothing herein shall be deemed to prohibit the City of Ithaca from immediately suspending, 
      terminating, or denying an application of any tow company or employee whose conduct, in 
      the opinion of the City, is deemed to be a danger to the motoring public, or who has 
      engaged in conduct constituting a flagrant violation.
   D. Records of violations shall be retained by the City of Ithaca for 36 months.

15. TERMS OF DISCIPLINARY ACTION
   A. Violations of the terms and conditions of the policy may be cause for disciplinary action in 
      the following manner:
      1) First violation within a 12-month period = letter of written reprimand 
      2) Second violation within a 12-month period = 1 to 30-day suspension 
      3) Third violation within a 12-month period = 60 to 90-day suspension 
      4) Fourth violation within a 12-month period = termination from the Tow Rotation 
         Program

   NOTE: In lieu of termination, the City of Ithaca may impose additional suspensions for longer 
       periods, if deemed appropriate.
B. Violations of the terms and conditions of the policy which warrant suspension for the first violation are categorized as major violations. Any subsequent or continuing major violation may be cause for termination.
   1) When considering disciplinary action for a major violation of the policy, the City of Ithaca will take into consideration all violations which have occurred within 36-months prior to the date of the current violation.

C. A suspended or terminated tow company shall not be eligible for a rotation listing for the duration of the suspension or termination.

D. If the tow company is serving a suspension for one year or more, the tow company shall be required to have complied with all terms and conditions of the current policy at the time of reinstatement.

E. A tow company shall comply with all the terms of the suspension prior to reinstatement or re-application.

16. HEARING / APPEAL

A. A hearing shall be granted, upon a tow company’s request, within ten business days, for any of the following circumstances:
   1) The tow company is served with a disciplinary action
   2) Denial of a tow company’s tow application or a tow company/driver application

B. A hearing shall be held as soon as practicable.

C. The hearing shall be conducted by representatives from the Ithaca Police Department and the City Clerk or his/her designee. The tow company shall be entitled to present all relevant facts and circumstances in support of the tow company’s position.

D. The tow company shall be notified in writing of the decision(s) within ten business days of the date of completion of the hearing.

E. Disciplinary action shall not take effect until the hearing and appeal process has been exhausted, except for tow companies whose conduct is deemed to be a danger to the motoring public or who continue to violate the terms and conditions of the policy.

F. If a tow company fails to request a hearing or appeal within the specified time or fails to appear at a scheduled hearing or appeal, the action taken by the City of Ithaca shall be final and the disciplinary action shall take effect upon written notification to the tow company.
APPENDIX A – Equipment Requirements for Rotation Tow Trucks

Broom
Two-way Radio
Rotor or Amber Light
Shovel
Reflective Traffic Vest
Steering Wheel Locking Device
Fire Extinguisher
Safety Flares
Materials and containers for clean-up
Coveralls
Tire Iron
Four (4) Road Cones
Flashlight
Six (6) Fuses
Sledge Hammer
First Aid Kit
Slim Jim
Bungee Cords
Fire Extinguisher
Safety Shoes
Work Gloves
Two (2) Scotch Blocks
Two (2) Snatch Blocks
Assortment of Hooks and Allow Chains
Recovery Straps
25’ Jumper Cables
Gas Can
Small Hand Tools
Set of Dollies
Wood Wedges
Air Tank
Pry Bar
Penetrating Oil
Come Along
Adequate Battery Boost System

Heavy Duty wreckers should have additional equipment such as a 20-ton bottle jack, boom crank, single and double air hoses, set of reflectors, and other tools necessary to deal with larger vehicles.
APPENDIX B: Maximum Towing and Storage Rates

City of Ithaca Tow Rotation List Maximum Rates

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Light Duty / Medium Duty Tow, 24/7/365</td>
<td>$200.00</td>
</tr>
<tr>
<td>Winch Out with tow</td>
<td>$25.00 if documented in police report</td>
</tr>
<tr>
<td>Winch Out (without tow)</td>
<td>$75.00</td>
</tr>
<tr>
<td>Dollies/Flatbed/Rollback</td>
<td>$25.00 if documented in police report</td>
</tr>
<tr>
<td>Vehicle Release after Hook-up but before the tow truck moves</td>
<td>$50.00</td>
</tr>
<tr>
<td>Recovery</td>
<td>$325.00/hour</td>
</tr>
<tr>
<td>Extraordinary Removal: requiring the use of Heavy Duty tow trucks or more than one tow truck, a crane, or other extraordinary equipment</td>
<td>Actual costs incurred</td>
</tr>
<tr>
<td>Scene/Accident Clean-up and/or Standby Time</td>
<td>No charge for the first 15 minutes $35.00/hour after the first 15 minutes</td>
</tr>
</tbody>
</table>

Storage Rates

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily Storage, begins 24 hours after vehicle enters yard</td>
<td>$50.00/24 hours</td>
</tr>
<tr>
<td>After Hours Release of Vehicle or Property/Contents (9:00 pm – 7:00 am)</td>
<td>$50.00</td>
</tr>
</tbody>
</table>
4. City Administration, Human Resources and Policy

.2 Attorney - Permit Pursuant to Section 346-31 of the City Code Authorizing FlixBus, Inc. to Use East Green Street as an Intercity Bus Pickup and Dropoff Area.

WHEREAS, Section 346-31 of the City Code provides that “Unless otherwise provided to the contrary, no bus or common carrier, whether for hire or not, shall be operated upon, stop on or stand on any City street in the corporate limits of the City of Ithaca, nor shall such bus or common carrier pick up or discharge passengers on any such City street or curb, or any other public property, or at or within 200 feet of any City bus stop in said corporate limits of the City of Ithaca, unless a permit is obtained therefor from the Common Council of the City of Ithaca, or its designee, the issuance of which permit shall be at the sole discretion of the Common Council of the City of Ithaca;” and

WHEREAS, Judd Krasher, on behalf of FlixBus, Inc. (“FlixBus”), submitted an application seeking a permit to operate a daily charter bus providing transportation between Ithaca and various cities, including New York City; and

WHEREAS, City staff have reviewed the application and support granting the permit on the condition that FlixBus adheres to a fixed schedule not requiring adjustments to other intercity bus schedules using the Green Street location; and

WHEREAS, on September 4, 2019 Common Council set a fee of $15 per arrival or departure from East Green Street for occupancy of the right of way for the purposes of operating an intercity bus; now, therefore be it

RESOLVED, That the Common Council hereby authorizes issuance of a permit to FlixBus, Inc. with the following conditions:

1. FlixBus, Inc. must execute a bus permit agreement on the same permit terms and conditions as other permittees currently operating from East Green Street, and containing the City’s usual revocation and indemnification terms and conditions,
2. The exact route, locations where passengers may be dropped off and picked up, and times of operation shall be subject to approval by the Superintendent of Public Works or his designee,
3. Said bus service shall be operated on a pre-arranged basis only, with tickets having been purchased in advance by passengers,
4. The operator(s) of the bus shall at all times ensure that the bus is not parked in a manner that interferes with the ability of emergency vehicles to move or pass or that interferes with sight distance for pedestrians or motorists,
5. Permittee shall at all times maintain valid liability insurance coverage, as well as present the City Attorney’s Office with proof of compliance with the New York Workers’ Compensation Law;

and be it further
RESOLVED, That the Superintendent of Public Works shall have the right to modify the conditions above upon reasonable notice to the Permittee, suspend or revoke this permit due to violation of the terms thereof, or due to any other action or failure to act, on the part of the permittee or his agents, which poses a danger to the health or safety of any members of the public, provided, however, that such suspension or revocation shall be subject to review by Common Council upon written appeal of the permittee, to the Mayor (which appeal, while pending, shall not stay said suspension or revocation).
To: Common Council
From: Eric Hathaway, Transportation Engineer
Date: February 18, 2020
Re: FlixBus Application to Operate at 131 E Green Street

FlixBus, an inter-city bus operator, has applied for permission to use the curb space along 131 E Green Street (in front of Urban Outfitters) for pick-up and drop-off of passengers. Per previous analysis by staff, this is the only on-street location staff have found to be acceptable for inter-city bus operation, other than the trial location being used by OurBus at 130 E Seneca Street. Per the attached schedule, they propose 33 weekly stops at 131 E Green Street. The buses currently using this space (Greyhound, Coach USA and Trailways) operate a total of 198 trips, so Flixbus would represent a 17 percent increase in demand.

The bus pull-off at 131 E Green Street currently has capacity for two parked buses at a time. Staff have reviewed the schedules for existing demand and the proposed increase and have determined that the area is sufficient for the additional buses, assuming that buses operate on schedule. It is important to note that Flixbus is committing to operate on a fixed weekly schedule, which is essential due to multiple operators sharing the same space.

Though there is technically enough space for on-time buses to operate with the proposed schedule, it is impossible to predict the total impact of additional buses on this space. One of the primary operational challenges of inter-city buses in the space has been vehicles dropping off or picking up passengers and illegally using the bus pull-off area. This has resulted in buses being blocked from the curb space, which results in delay and sometimes in unsafe decisions by bus drivers.

Further, there have been complaints that bus idling has diminished air quality and made the space less inviting. The Tompkins County Mental Health Department, located near the bus stop, has expressed concerns in the past of waiting bus passengers blocking accessible routes on the sidewalk for their clients. Additional bus demand might have an impact on all of these concerns due to increased demand, though it is difficult to predict in advance.

As you know, OurBus, which does not operate on a fixed weekly schedule, has relocated its operation to 130 E Seneca Street on a trial basis, ending March 31, 2020. If staff recommend that the trial location be made permanent, I will propose a resolution that Common Council fund a capital project for redesign of both the 131 E Green Street and 130 E Seneca Street bus stops and
nearby streetscape. The redesign would provide improved circulation for buses and accommodations for passengers while they wait for their ride.
# Ithaca Proposed Schedule

**UPDATED 2/12/2020**

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<tr>
<th>Origin</th>
<th>Destination</th>
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Ithaca Proposed Route
UPDATED 2/12/2020

When ENTERING Ithaca

- Bus would enter from the east via Route 79 (Slaterville Rd.)
- Bus would continue on Route 79, bearing right to continue on Route 79 (becoming Seneca St.)
- Bus would continue on Route 79 until turning left on to Albany St.
- Bus would continue on Albany St. until turning left on to W. Green St. (becoming E. Green St.)

When EXITING Ithaca

- Bus would proceed east on E. Green St.
- Bus would turn right on to E. MLK Jr. St (Route 79) and remain on Route 79, exiting city limits.
4. City Administration, Human Resources and Policy

3 Human Resources - Revised – Establishment of Acting Department Head and Department Head Salaries Upon Promotion

WHEREAS, after review of the most recent promotions and new hires to the Management Compensation Plan, it has become evident that the current plan, in spite of adjustments, has continued to require modifications in order to maintain competitiveness, both internally and externally; and

WHEREAS, our external hires have consistently been offered salaries above the first step of the compensation plan, and internal candidates have been reluctant to accept promotions to managerial positions without some exception to the existing plan; and

WHEREAS, in an attempt to reduce the number of exceptions and modifications, it is recommended that the City adjust its promotional increase from eight (8%) percent to ten (10%) to enhance the chance of attracting and retaining internal candidates; and

WHEREAS, the resolution adopted on May 3, 2017, requires one as bolded below to change the promotional increase; now, therefore, be it

RESOLVED, That after acting in the role of a department head for thirty (30) days, a deputy department head shall be assigned to the lowest salary step for the department head position that results in a salary increase for the deputy, and be it further

RESOLVED, That if an employee other than a deputy department head is appointed to serve in an acting department head role, the employee shall immediately be assigned to the lowest salary step for the department head position that results in a salary increase for the employee, and be it further

RESOLVED, That an employee acting as a department head shall not be entitled to annual salary step increases for the acting title, but shall remain eligible for any step increases the employee would have otherwise received in the employee’s permanent title; provided, however, that if a step increase in the employee’s permanent title results in a higher salary than the employee’s current acting department head salary, the acting department head salary shall be recalculated as specified above, and be it further

RESOLVED, That employees who are promoted to or within the Managerial Compensation Plan shall be assigned to the lowest salary step that provides at least a ten (10%) percent increase in the employee’s base salary, with subsequent step movement occurring annually on the employee’s anniversary date in the current job title, until the employee reaches the maximum step, at which time step movement shall cease, and be it further

RESOLVED, That under no circumstances shall a managerial employee earn a salary greater than the maximum step for the employee’s position, or the position in which the employee is acting, whichever is higher.
Advocacy Flags – City of Ithaca

Background

The City of Ithaca has a policy for the flying of advocacy flags on selected City-administered flagpoles (link to appropriate resource). The Mayor, Common Council, or a community member(s) can request that a flag is flown for a period of time so long as it fits within the City policy.

Process

In order for an advocacy flag to be flown, it first must be added to the Approved List of Governmental and Advocacy Flags. An advocate can request that a flag be added to the Approved List by submitting the Application for an Advocacy Flag (see below) at least two months before the flag would be flown to the Community Life Commission (CLC). The CLC will review and either forward the application to the Administration Committee of Common Council for approval, ask the advocate for further information, or reject. The advocate should plan on sending a representative to the CLC meeting where the application will be assessed.

After a flag has been added to the Approved List through the process above, the advocate must provide a flag of the appropriate dimensions (see application) and a copy of the application to the City Clerk in Ithaca City Hall so that the dates and location for the flag are clearly communicated. It is recommended that these items be submitted to the City Clerk one week before the flag is flown. Advocate must also make arrangements with the City Clerk to collect the flag in a timely manner on a date after the flag has been lowered. In future years after a flag has been added to the Approved List, the advocate must only provide the flag and application to the City Clerk, though advance communication is recommended to ensure a smooth process.

Timeline

CLC meets on the third Monday of every month (except when this coincides with a holiday) and Administration Committee meets on the third Wednesday of every month. The Administration Committee, if they agree with CLC’s recommendation for addition of the flag to the approved list, will then take the topic to full Common Council, which meets on the first Monday of every month. Applicants should plan accordingly to ensure there is enough time for Council to approve their request. We suggest applying at least two months prior to the desired dates for the flag to be flown.
Application for Flying an Advocacy Flag in the City of Ithaca

Advocate Name/Organization: __________________________________________________________

Address: ____________________________________________________________________________

Website: ____________________________ Phone: _____________________________

Contact Name: ___________________________________________________________________________

Contact Email: ________________________ Contact Phone: _____________________________

Flag requested to be flown (also attach image): ____________________________________________

Please share your reasons for wanting to fly this flag (include any historical significance):
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________

What are the dates you would like the City to fly this flag (Min: 1 week, Max: 1 month)?
From _____________________________ to ___________________________________

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

___ YES: Choose from this list:
       ___ City Hall (flag dimensions 5’ x 8’ or 4’ x 6’)
       ___ Cass Park (flag dimensions 3’ x 5’ - April 1 thru October 31
       ___ Stewart Park (flag dimensions 12’ x 18’ - April 1 thru October 31

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

Note: City Staff will use discretion as to whether multiple advocacy flags can be flown from
a flagpole at any given time, with priority given on a first come, first served basis.

Has this flag already been approved by Common Council to be flown on City property as
an advocacy flag? (See below)

___ YES ___ NO

If the flag has already been approved, please submit this form with an image of the flag to
the City Clerk, Julie Holcomb (julieh@cityofithaca.org), at least one week in advance of the
date on which the flag is to be flown in order to make arrangements for delivery and
collection of the flag.

If the flag has not yet been approved, please submit this form with an image of the flag to
CLC@CityofIthaca.org. If the flag is approved, proceed according to the above paragraph.

Applicant Signature: _____________________________ Date: ___________________________