# CITY ADMINISTRATION COMMITTEE

**AGENDA ITEMS**

<table>
<thead>
<tr>
<th>Item</th>
<th>Voting Item?</th>
<th>Presenter(s)</th>
<th>Time Alotted</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Call to Order</strong></td>
<td></td>
<td>Chair, Robert Cantelmo</td>
<td></td>
</tr>
<tr>
<td>1.1 Agenda Review</td>
<td>No</td>
<td></td>
<td></td>
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<tr>
<td>1.2 Review and Approval of Minutes</td>
<td>Yes</td>
<td>Sign up for public comment here: <a href="https://bit.ly/3pDc1LD">https://bit.ly/3pDc1LD</a></td>
<td>15 Min</td>
</tr>
<tr>
<td>1.3 Statements from the Public</td>
<td>Yes</td>
<td>*Submit written comments here: <a href="https://j.mp/2XUYUdW">https://j.mp/2XUYUdW</a></td>
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<tr>
<td>1.4 Council's Response</td>
<td></td>
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<td><strong>2. Consent</strong></td>
<td></td>
<td></td>
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<tr>
<td>2.1 GIAC – Amendment to Personnel Roster</td>
<td>Yes</td>
<td></td>
<td>5 Min</td>
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<tr>
<td><strong>3. Action Items</strong></td>
<td></td>
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<tr>
<td>3.1 DPW - Stewart Avenue Bridge Project</td>
<td>Yes</td>
<td>Addisu Gebre, Bridge Engineer</td>
<td>10 Min</td>
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<tr>
<td>3.2 DPW - Supplemental Agreement for East State/MLK Jr. Street Mill &amp; Pave</td>
<td>Yes</td>
<td>Mike Thorne, Supt of DPW</td>
<td>10 Min</td>
</tr>
<tr>
<td>3.3 Approval of Modifications to the Allocation of Grant Funding Under the 2021 New York Main Street Grant Program</td>
<td>Yes</td>
<td>Tom Knipe, Dir of Econ Dev</td>
<td>10 Min</td>
</tr>
<tr>
<td>3.4 IURA - Community Housing Development Fund, Round #22</td>
<td>Yes</td>
<td>Nels Bohn, IURA Director</td>
<td>10 Min</td>
</tr>
<tr>
<td>3.5 Negative Declaration of Environmental Significance</td>
<td>Yes</td>
<td>Ari Lavine, Attorney</td>
<td>10 Min</td>
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<tr>
<td>3.6 Declaration of Lead Agency</td>
<td></td>
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<tr>
<td>3.7 Authorize Eminent Domain Proceeding to Acquire Easement for Improvement of Water System</td>
<td>Yes</td>
<td>Ari Lavine, Attorney</td>
<td>10 Min</td>
</tr>
<tr>
<td>3.8 Authorization of Transitional Rules for Health Insurance Plan</td>
<td>Yes</td>
<td>Ari Lavine, Attorney</td>
<td>10 Min</td>
</tr>
<tr>
<td>3.9 MOU’s for Outside Organizations Funded in 2022 Budget</td>
<td>Yes</td>
<td>Ari Lavine, Attorney</td>
<td>10 Min</td>
</tr>
<tr>
<td>3.10 Resolution Urging the Department of Interior and Bureau of Indian Affairs to Heed Gayogghó:ñiq' Removal of Clint Halftown from Representative Role</td>
<td>Yes</td>
<td>Ducson Nguyen</td>
<td>10 Min</td>
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<td><strong>4. Discussion</strong></td>
<td></td>
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<tr>
<td>4.1 Hangar Theater Building</td>
<td>No</td>
<td>Faith Vavra, Chief of Staff</td>
<td>10 Min</td>
</tr>
<tr>
<td>4.2 Wage Transparency Legislation</td>
<td>No</td>
<td>Robert Cantelmo</td>
<td>10 Min</td>
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<td><strong>5. Meeting Wrap-Up</strong></td>
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<tr>
<td>5.1 Announcements</td>
<td>No</td>
<td>All</td>
<td>5 Min</td>
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<tr>
<td>5.2 Next Meeting Date: March 23, 2022</td>
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<tr>
<td>5.3 Review Agenda Items for Next Meeting</td>
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<tr>
<td>5.4 Adjourn</td>
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</table>

This meeting can be viewed with the following link: [https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg](https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg)
2. Consent
.1 GIAC – Amendment to Personnel Roster

WHEREAS, the Greater Ithaca Activities Center (GIAC), has historically provided a safe and reliable space to accommodate job relief, community service, or part-time seasonal workers; and

WHEREAS, local courts, justice organizations, social services organizations, higher education institutions, and job training organizations have sought out and come to rely on GIAC as a partner for placing community service and job training participants; and

WHEREAS, GIAC’s Custodial Worker is often needed to supervise seasonal custodial staff, volunteers and/or community service placements, many of whom help GIAC meet its custodial needs throughout the year; and

WHEREAS, the current title and duties of Custodial Worker do not include nor compensate for supervisory responsibilities; and

WHEREAS, changing the position to a working supervisor, such as Custodian would legally allow for the supervision to happen; now, therefore, be it

RESOLVED, That the Personnel Roster of the Greater Ithaca Activities Center be amended as follows:

Add: One (1) Custodian (40 hours/week)
Unfund: One (1) Custodial Worker (40 hours/week)

and be it further

RESOLVED, That the position of Custodian shall be assigned to the CSEA DPW Unit Compensation Plan at salary grade 4, and be it further

RESOLVED, That for the sole purpose of determining days worked reportable to the New York State and Local Employees Retirement System the standard workday for this position shall be established at eight (8) hours per day (forty (40) hours per week), and be it further

RESOLVED, That funding for this position shall be derived from the approved 2022 departmental budget.
3. Action Item
   .1 DPW - Stewart Avenue Bridge Project

WHEREAS, a project for the rehabilitation of the Stewart Avenue Bridge over Fall Creek, P.I.N. 375669 (“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, Preliminary Design, and Detail 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 February 2, 2022, $110,000 (80% Federal/15% State/5% Local Share) project funding for the project made available by the New York State Department of Transportation to cover the cost of participation in Scoping, Preliminary Design, and Detailed Design; now therefore, be it

RESOLVED, That 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, Preliminary Design, and Detail Design thereof, and be it further

RESOLVED, That Common Council hereby establishes Capital Project 910 Improvement of Stewart Avenue Bridge over Fall Creek in an amount not to exceed $155,000, and be it further

RESOLVED, That the sum of $155,000 is hereby appropriated from Capital Project #910 and made available to cover the cost of participation in the above phases of the project, and it is further

RESOLVED, That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, 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 5% or $5,500, and it is 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 it is further

RESOLVED, That this Resolution shall take effect immediately
MEMORANDUM

TO: City Administration Committee
FROM: Addisu Gebre, Bridge Systems Engineer
DATE: February 16, 2022
RE: Stewart Avenue Bridge over Fall Creek Rehabilitation Project

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

On February 2nd, 2022, $110,000 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 95% of the eligible project cost up to $104,500. After that, any additional cost up to the total authorization will be the City’s responsibility.

The project will include rehabilitating the existing bridge to eliminate structural deficiencies and reconstructing the immediate approaches. Construction is scheduled for 2024 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.”
3. Action Item
2 DPW - Supplemental Agreement for East State/MLK Jr. Street Mill & Pave

A resolution authorizing implementation and funding in the first instance 100% of the federal aid-eligible costs and State “Marchiselli” program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the State St (Rt 79) Mill and Pave, P.I.N. 375620 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, Common Council approved a Master Agreement for this project in January 2021; and

WHEREAS, on February 2, 2022, the New York State Department of Transportation has provided Supplemental Agreement No. 1 for this project; 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 Preliminary Engineering/Design; and

WHEREAS, preliminary engineering and design are exempt from further environmental review as Type II actions, now, therefore, the Common Council; now therefore be it

RESOLVED, That the Common Council hereby approves the above-subject project, subject to further environmental review of construction, and be it further

RESOLVED, That the Common Council hereby authorizes the City of Ithaca to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering/Design work for the Project or portions thereof, and be it further

RESOLVED, That the sum of $100,000 is hereby appropriated from the issuance of serial bonds and made available to cover the cost of participation in the above phase of the Project, and be it further

RESOLVED, That Common Council hereby amends Capital Project # 880, East State/MLK Jr. Street Mill & Pave, to include the additional Project costs of $100,000, bringing the total authorization to $400,000, 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, the Common Council of the City of Ithaca shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof, and be it further

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

RESOLVED, That this project be undertaken with the understanding that the final cost of the Project to the City of Ithaca will be roughly 20% of said portion, currently estimated at $35,000 of the $400,000 authorized for this portion of the project, in monies and in-kind services as managed by the Superintendent of Public Works and monitored by the City Controller, and be it further

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

RESOLVED, This resolution shall take effect immediately.
To: City Administration Committee  
From: Tim Logue, Director of Engineering  
Date: February 10, 2022  
Re: Supplemental Agreement for East State/MLK Jr. Street Mill & Pave

Please find enclosed a resolution authorizing a supplemental agreement with NYSDOT for additional funding for CP 880, East State Street Mill & Pave project. This is a federal-aid project to rehabilitate the pavement on East State/MLK Jr. Street, from near the Tuning Fork intersection to approximately Eddy Street and Common Council authorized the master agreement in January 2021.

Recently, in anticipation of updating its Transportation Improvement Program, the Ithaca Tompkins County Transportation Council requested updated information for projects in the program, including this one. A conversation ensued with NYSDOT about the possibility of extending the extent of the project from Eddy Street up to the intersection with Mitchell Street and accelerating the project from the scheduled construction of 2024 to the summer of 2023. In order to do this, the City would need to take on additional expenses for engineering. We asked if DOT could make additional funding available for reimbursement purposes and I am happy to report that they have done so. This supplemental agreement allows for an additional $100,000 in project costs, of which $80,000 would be reimbursable with federal aid. So, the City’s costs for this additional work would not exceed $20,000. At this time, there is not additional state aid (known as Marchiselli funds), but these may become available at a later date when the next state budget is approved.

At this time, the construction funds are not yet approved for 2023 work or for the additional extension to the east. I think there is a good chance that that will happen later this year through the ITCTC TIP update, and that it is wise of the City to make the small investment in the engineering phase in order to be in the best position to expand and accelerate this project. If you’ve biked or driven on the street, I probably don’t need to explain much more.

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3. **Action Item**  
3.3 Approval of Modifications to the Allocation of Grant Funding Under the 2021 New York Main Street Grant Program

WHEREAS, in 2021 the City of Ithaca Common Council adopted a resolution supporting the Downtown Ithaca Alliance (DIA) grant request to the New York Main Street Program; and

WHEREAS, the DIA was awarded $483,000 in 2021 New York Main Street funding; and

WHEREAS, the initial grant application included the allocation of $450,000 to support the rehabilitation of four (4) downtown buildings, one for $150,000 and three for $100,000 each; and

WHEREAS, after award, three of the initial properties withdrew their interest in participation due to pandemic driven construction cost escalation and difficulty working with New York State grant requirements; and

WHEREAS, the DIA issued a second request for projects from property owners within the downtown target area and received three proposals; and

WHEREAS, the DIA’s Business Retention & Development Committee, following NYMS guidelines, reviewed and selected two projects to receive funding in the amounts of:

- $350,000 for the creation of 12 units of housing in the 117 South Cayuga Street property controlled by Urban Core, LLC; and
- $100,000 for the creation of 2 units of housing in the 108 West State Street property owned by STREAM Collaborative (Jen & Noah Demarest); and

WHEREAS, the New York State Main Street Grant Program has indicated a willingness to accept this reallocation of funds subject to receiving a resolution of support from the City of Ithaca Common Council; now therefore be it

RESOLVED, That City of Ithaca Common Council does hereby endorse and support the revised allocation of funds for the Downtown Ithaca Alliance 2021 New York Main Street grant as follows:

- $350,000 to be allocated to the rehabilitation of 117 South Cayuga Street, resulting in the creation of 12 units of apartment housing; and
- $100,000 to be allocated to the rehabilitation of 108 West State Street, resulting in the creation of 2 units of apartment housing.
February 11, 2022

TO: City of Ithaca Common Council  
    Mayor Laura Lewis  
    Tom Kniepe

FROM: Gary Ferguson, Downtown Ithaca Alliance

RE: Resolution from Common Council Supporting Revision to the DIA 2021 NYMS Program

The Downtown Ithaca Alliance (DIA) has formally requested that the New York State Main Street Program revise its allocation of grant dollars to specific projects. The State is willing to proceed with this request but asks that we provide a resolution of support from our Common Council.

The DIA received an award in early 2021 of $483,000 from the State of New York Main Street Program (NYMS) for the renovation of downtown buildings. This included the creation/rehabilitation of units of housing and commercial units. The City of Ithaca Common Council provided a required resolution of support for this grant.

We originally proposed four separate downtown buildings, to split the $450,000 allocated to construction related work. (The remaining $33,000 is reserved for program administration.) Three of these properties eventually withdrew from the program, citing complication pertaining to following state requirements and accommodating the rapidly escalating construction costs caused by the pandemic.

At the suggestion of the NYMS program, the DIA reissued a request for projects from downtown property owners for the construction funds. One building included in the original 2021 list of properties, 117 S. Cayuga Street, wanted to continue to participate, but for a larger project requiring more NYMS funding.

The call for projects generated three applications. The DIA’s review committee (its standing Downtown Business Retention and Development Committee) reviewed these submissions as requested by NYMS and recommended the following two projects for reallocation of funds:

- 117 South Cayuga Street  ($350,000)  to create 12 units of housing  
  (project to be undertaken by John Guttridge, Urban Core, LLC)

- 108 West State Street  ($100,000)  to create 2 units of housing  
  (project to be undertaken by STREAM Collaborative and property owner Jen/Noah Demarest)
Both projects are prepared to proceed and the State appears ready to grant this reallocation of funds, subject to a resolution of support from the City of Ithaca Common Council. We ask that the Common Council approve the attached resolution of support at their March 2022 meeting.
3. **Action Item**

- **IURA - Community Housing Development Fund, Round #22 — Authorize Disbursement of Funds Pursuant to an Executed MOU**

WHEREAS, the Community Housing Development Fund (CHDF) was established in 2009, and renewed in 2015 and 2021, by Memorandum of Understanding (MOU) among and between the City of Ithaca, Tompkins County and Cornell University to raise and award funds to increase the supply of permanently affordable housing in the County; and

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

WHEREAS, the Program Oversight Committee, which includes three City appointees, reviews, and recommends projects for awards, including the amount and funding source; and

WHEREAS, the City of Ithaca Common Council retains authority to approve, modify or reject the POC’s recommendation for use of City funds; and

WHEREAS, action to authorize disbursement of City funds requires prior completion of environmental review for housing projects; and

WHEREAS, the POC recommends the following affordable housing projects for funding:

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Project Description</th>
<th># Units</th>
<th>Municipality</th>
<th>Funding ($1,000s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cornell</td>
<td>County</td>
<td>City</td>
<td>Total</td>
<td></td>
</tr>
<tr>
<td>IHA/CHDC</td>
<td>Northside Apartments – Additional Award</td>
<td>Electrify 82 rentals</td>
<td>(C) Ithaca</td>
<td>0</td>
</tr>
<tr>
<td>Habitat</td>
<td>417 S Aurora St &amp; 109 Morris Ave Home Revitalization</td>
<td>2 for-sale</td>
<td>(C) Ithaca</td>
<td>0</td>
</tr>
<tr>
<td>INHS</td>
<td>110 Auburn &amp; 215 Cleveland Ave Rehabilitation</td>
<td>2 for-sale</td>
<td>(C) Ithaca</td>
<td>0</td>
</tr>
</tbody>
</table>
and

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

WHEREAS, the Northside Apartments project completed environmental review by the City Planning and Development Board and is scheduled to close on financing in March 2022; and

WHEREAS, the City previously authorized disbursement of $102,200 for the project; and

WHEREAS, additional requested funding for the Northside Apartment project will enable the project to construct units with full electrification with no on-site fossil fuel use; and

WHEREAS, annual City contributions to the CHDF are placed in Restricted Contingency; now; therefore, be it

RESOLVED, That the Common Council for the City of Ithaca hereby authorizes an expenditure of up to $100,000 to Tompkins County for the following affordable housing project to implement a recommended funding award for rounds #22 of the Community Housing Development Fund:

<table>
<thead>
<tr>
<th>INHS</th>
<th>Village Grove Townhouses</th>
<th>4 for-sale</th>
<th>(V)T-burg</th>
<th>200.01</th>
<th>39.99</th>
<th>0</th>
<th>240</th>
</tr>
</thead>
<tbody>
<tr>
<td>Totals</td>
<td>8 new units</td>
<td></td>
<td></td>
<td>200.10</td>
<td>269.99</td>
<td>100</td>
<td>570</td>
</tr>
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</table>

and be it further,

RESOLVED, That Common Council hereby directs the Controller to release housing funds in an amount not to exceed $100,000 from account A1990 Restricted Contingency and transfer the fund to account A8020-5435 Planning Contracts, and be it further

RESOLVED, That the $100,000 be appropriated from the current balance in the Housing Fund of $180,000, to fund the $100,000 City portion of the City/County/Cornell Housing Trust for the above listed project, and be it further

RESOLVED, That upon receipt of an invoice from Tompkins County, the City Controller is hereby authorized to implement this resolution.
MEMORANDUM

To: City Administration Committee members  
From: Nels Bohn, IURA Director of Community Development  
Subject: Additional Community Housing Development Fund Award to Northside Apartments  
Date: February 14, 2022

The proposed resolution authorizes City disbursement of an additional $100,000 to support the Ithaca Housing Authority’s Northside Apartments project. The City previously authorized $102,200 to assist in construction of the project. The additional funding will enable the project to afford installation of air source heat pumps in lieu of the originally planned natural gas-fired heating systems.

With proposed City and County approvals, the Northside Apartments project will receive a total of $300,000 through the Community Housing Development Fund (CHDF), of which the City of Ithaca will fund $202,200 and Tompkins County will provide $97,800.

Following is background information prepared by Megan McDonald, Deputy Commissioner of Planning and Sustainability, to support a proposed resolution authorizing an additional County funding for the project.

Program Background  
The CHDF is a joint effort of partners Tompkins County, the City of Ithaca, and Cornell University. The purpose of the fund is to help communities and organizations throughout Tompkins County respond to the diverse affordable housing needs of its residents by providing grants towards construction or rehabilitation of permanently affordable housing units. To date the fund has committed $5,959,865 in local funding to 810 units of affordable housing. Local funding has been highly leveraged resulting in over $250 million total investment.

Project Background  
In 2020, the Cayuga Housing Development Corporation and Ithaca Housing Authority successfully applied for a CHDF award in the amount of $160,000 to replace the existing 70-unit Northside Apartments in the City of Ithaca with 82 newly constructed units. This redevelopment is part of the Ithaca Housing Authority’s participation in the U.S. Department of Housing and Urban Development (HUD) Rental Assistance Demonstration (RAD) Program to help Public Housing Authorities access funding to make needed improvements to public housing units.

The maximum funding the applicant could have requested was $300,000, however only $160,000 was requested. The County authorized $57,800 towards this award and the City of Ithaca $102,200. The County also authorized a PILOT agreement for this project alongside Ithaca Housing Authority’s other properties at that time.
Green New Deal
The project team originally indicated an intention to pursue full electrification of the project so there would be no on-site fossil fuel use. However, as the project design progressed it was found that heat pump installation would cost at least $441,000 more than using natural gas. Unfortunately, new funding sources intended to help electrify and reduce greenhouse gas emissions in affordable housing development are not yet available, and any delay to closing this project’s financing with the State would impact public housing residents who have been relocated in anticipation of construction.

County staff, CHDF Program Oversight Committee members and NYS Homes and Community Renewal (HCR) staff discussed options to fill the gap in order to avoid the need to retrofit the project in later years to comply with local and state energy and greenhouse gas emissions goals. HCR staff agreed to work with the developer to cover the remaining funding gap if the CHDF award were increased to the maximum allowable for rental projects under the program - $300,000, or $140,000 more than the original $160,000 award. The CHDF Program Oversight Committee recommends doing so using an additional $40,000 in County funds and an additional $100,000 in City of Ithaca funds. The City of Ithaca is scheduled to act to authorize its additional funding at its March 3, 2022, Common Council meeting.

Cc: L. Nicholas, Acting Director of Planning & Development
    F. Vavra, Chief of Staff
    S. Thayer, City Controller
3. **Action Item**

.5 Authorize Eminent Domain Proceeding to Acquire Easement for Improvement of Water System - Negative Declaration of Environmental Significance

WHEREAS, Common Council proposes to authorize the acquisition of an easement by eminent domain for the purposes of improving the City’s water system, and

WHEREAS, This is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. and is subject to environmental review, and

WHEREAS, Common Council, as the agency having primary responsibility for approving and funding or carrying out the action did, on March 2, 2022, declare itself Lead Agency in Environmental Review for the proposed amendment to the PUDOD, and

WHEREAS, Common Council, acting as Lead Agency, has on March 2, 2022, reviewed and accepted as complete a Full Environmental Assessment Form, Parts 1, 2 & 3 prepared by the Attorney’s Office and other related materials, and

WHEREAS, Common Council, acting as Lead Agency, after completing a thorough analysis of the Environmental Information and potential environmental impacts associated with the action, has determined, as more clearly elaborated in the FEAF, that proposed amendment will not have any potentially significant adverse environmental impacts, now, therefore, be it

**RESOLVED,** That Common Council determines that the proposed amendment will result in no significant adverse impact on the environment and this Resolution, which was adopted by a majority vote of Council, shall serve as the Negative Declaration (as defined in 6 N.Y.C.R.R. 617.2(y)) for the action, and is issued by Common Council, acting as Lead Agency pursuant to and in accordance with SEQRA in a coordinated environmental review.
REFERENCE MAPS:
1.) "BOUNDARY & TOPOGRAPHIC MAP SHOWING LANDS OF ROGER & SUSANNE DENNIS HUDSON PLACE AND CODDINGTON ROAD," DATED MAY 2, 2016 BY T.G. MILLER P.C.
2.) "SURVEY MAP HUDSON HEIGHTS APARTMENTS," DATED MARCH 14, 1988 AND LAST REVISED JANUARY 11, 1993 BY T.T. MILLER P.C.

No. 117–119 CODDINGTON ROAD
SUSANNE DENNIS
INSTRUMENT No. 570587-001
TAX MAP PARCEL No. 115-2-1.1

PROPOSED 20' WIDE WATER MAIN EASEMENT TO BE GRANTED BY SUSANNE DENNIS TO THE CITY OF ITHACA AREA—1390 SQ. FT.

No. 708 HUDSON PLACE
ROGER W. DENNIS
DEED BK: 570, PAGE 1065
TAX MAP PARCEL No. 115-2-1.2

T.G. MILLER, P.C.
ENGINEERS AND SURVEYORS
605 WEST STATE STREET, SUITE A
ITHACA, NEW YORK 14850
WWW.TGMILLERPC.COM
607-272-6477

TITLE:
EASEMENT MAP
No. 117–119 CODDINGTON ROAD
CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK

DATE: 1/26/2022
SCALE: 1"=20'
**Short Environmental Assessment Form**

**Part 1 - Project Information**

**Instructions for Completing**

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>Eminent Domain for Hudson Place Water Main Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location (describe, and attach a location map):</td>
<td>117-119 Coddington Road (see map)</td>
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</table>

**Brief Description of Proposed Action:**

In the event that a negotiated purchase of an easement with the owner of 117-119 Coddington Road cannot be reached, the City of Ithaca proposes to acquire an easement through eminent domain. The easement will be used to site a 12" water main extension which will connect two existing water mains, improving circulation, water quality, and fire flows in the water system.

<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor:</th>
<th>Telephone: (607) 274 6504</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victor Kessler, on behalf of the City of Ithaca</td>
<td>E-Mail: <a href="mailto:vkessler@cityofithaca.org">vkessler@cityofithaca.org</a></td>
</tr>
<tr>
<td>Address:</td>
<td>108 E. Green Street, 4th Floor</td>
</tr>
<tr>
<td>City/PO:</td>
<td>State: NY</td>
</tr>
<tr>
<td>Ithaca</td>
<td>Zip Code: 14850</td>
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</table>

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?  
   If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.  
   **NO** | **YES**

2. Does the proposed action require a permit, approval or funding from any other government Agency?  
   If Yes, list agency(s) name and permit or approval: Common Council authorization to exercise eminent domain power  
   **NO** | **YES**

3. a. Total acreage of the site of the proposed action?  
   b. Total acreage to be physically disturbed?  
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  
   **0.03** | **0.03** | **0**

4. Check all land uses that occur on, are adjoining or near the proposed action:  
   - **✓** Urban  
   - **✓** Residential (suburban)  
   - **✓** Commercial  
   - **✓** Water  
   - **✓** Other(Specify):  
   - **✓** Forest  
   - **✓** Agriculture  
   - **✓** Aquatic  
   - **✓** Parkland

Page 1 of 3
5. Is the proposed action,  
   a. A permitted use under the zoning regulations?  
   b. Consistent with the adopted comprehensive plan?

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<th></th>
<th>NO</th>
<th>YES</th>
<th>N/A</th>
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<td>a.</td>
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<td>b.</td>
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6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?

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7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   If Yes, identify: ____________________________________________________________

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8. a. Will the proposed action result in a substantial increase in traffic above present levels?  
   b. Are public transportation services available at or near the site of the proposed action?  
   c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?

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<td>b.</td>
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<td>c.</td>
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9. Does the proposed action meet or exceed the state energy code requirements?  
   If the proposed action will exceed requirements, describe design features and technologies:

   ____________________________________________________________________________
   ____________________________________________________________________________

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<tr>
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<th>NO</th>
<th>YES</th>
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<td>N/A</td>
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</table>

10. Will the proposed action connect to an existing public/private water supply?  
    If No, describe method for providing potable water: ____________________________

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<tr>
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11. Will the proposed action connect to existing wastewater utilities?  
    If No, describe method for providing wastewater treatment: ________________________

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<th>NO</th>
<th>YES</th>
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<td>N/A</td>
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12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?

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<thead>
<tr>
<th></th>
<th>NO</th>
<th>YES</th>
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   b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?

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<tr>
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<th>NO</th>
<th>YES</th>
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<td>b.</td>
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</table>

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  
    b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?

    If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: ____________________________

    ____________________________________________________________________________

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<thead>
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<th></th>
<th>NO</th>
<th>YES</th>
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<td>b.</td>
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</table>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- [ ] Shoreline
- [ ] Forest
- [ ] Agricultural/grasslands
- [ ] Early mid-successional
- [ ] Wetland
- [x] Urban
- [x] Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? **YES**

16. Is the project site located in the 100-year flood plan? **YES**

17. Will the proposed action create storm water discharge, either from point or non-point sources? **YES**
   
   a. Will storm water discharges flow to adjacent properties? **YES**
   
   b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? **YES**

   If Yes, briefly describe:

   

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? **YES**

   If Yes, explain the purpose and size of the impoundment:

   

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? **YES**

   If Yes, describe:

   

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? **YES**

   If Yes, describe:

   

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Victor Kessler, on behalf of the City of Ithaca

Signature: [Signature]

Title: Assistant City Attorney

Date: 02/14/2022
Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes or Small Impact May Occur</th>
<th>Moderate to Large Impact May Occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>7. Will the proposed action impact existing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. public / private water supplies?</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>b. public / private wastewater treatment utilities?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>
Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Exercising the City’s eminent domain authority to acquire an easement over the subject property will not, in and of itself, create an environmental impact. Acquiring the easement will enable the City to install a water main extension which will have a significant positive impact on the public water supply by improving circulation, water quality, and fire flows in the surrounding area by connecting two existing water main lines.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

City of Ithaca Common Council 02/15/2022

Aaron Lavine City Attorney
Print or Type Name of Responsible Officer in Lead Agency
Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)
3. **Action Item**

   .6 **Authorize Eminent Domain Proceeding to Acquire Easement for Improvement of Water System - Declaration of Lead Agency**

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

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

WHEREAS, Common Council proposes to authorize the acquisition of an easement by eminent domain for the purposes of improving the City’s water system, and

WHEREAS, This is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. and is subject to environmental review, now therefore be it

RESOLVED, That the City of Ithaca Common Council, as the agency having primary responsibility for approving and funding or carrying out the action does, by way of this resolution, declare itself Lead Agency in Environmental Review for the proposed acquisition of land.
3. Action Item
.7 Authorize Eminent Domain Proceeding to Acquire Easement for Improvement of Water System

WHEREAS, the City of Ithaca (“City”) operates a municipal water system through its Department of Public Works; and

WHEREAS, the City currently maintains two water main lines on South Hill in the vicinity of South Aurora Street and Hudson Place near the City border with the Town of Ithaca; and

WHEREAS, the City desires to connect these two water mains in order to create a loop in the system, which would improve circulation, water quality, and fire flows for the benefit of the general public and City water users; and

WHEREAS, in order to connect the two water main lines, the City must obtain a property interest in a portion of the land located at 117-119 Coddington Road (Tax Parcel 115-2-1.1), which interest will consist of an approximately 20-foot-wide easement over approximately 1390 square feet of land that will enable the City to locate a water main extension underneath the subject property; and

WHEREAS, Common Council, acting as Lead Agency in Environmental Review, has examined the acquisition of property for the purposes of extending the water main as required by the City of Ithaca Environmental Quality Review Ordinance and the State Environmental Quality Review Act and issued a Negative Declaration dated March 2, 2022; and

WHEREAS, the land in which the property interest will be acquired contains no structures and consists solely of unimproved yard space; and

WHEREAS, the proposed water main extension will be located underground and will not unreasonably interfere with use of the property; and

WHEREAS, there are no reasonably feasible or cost-effective alternatives for routing the water main extension; and

WHEREAS, the City has engaged a consultant to obtain an appraisal to value the proposed easement; and

WHEREAS, the appraised value of the proposed easement is $3,700; and

WHEREAS, the City has made a formal offer to the property owner to acquire the easement for its full value of $3,700; and

WHEREAS, the property owner has not accepted the City’s offer; and
WHEREAS, Section 74 of the General Municipal Law authorizes the City to acquire title to property by condemnation in the event that agreement with a property owner cannot be reached; and

WHEREAS, in the event that the property owner rejects or fails to respond to the offer, the City desires to obtain the required interest in the property by eminent domain for the purpose of expanding and improving the City’s water system; and

WHEREAS, the Eminent Domain Procedure Law ("EDPL") sets forth the procedures by which the City may exercise its powers of eminent domain; now, therefore, be it

RESOLVED, That Common Council authorizes the use of the City’s eminent domain powers for the purpose of obtaining an interest in the property located at 117-119 Coddington Road in the event that the property owner rejects or fails to respond to the City’s offer for the acquisition of the property interest; and be it further

RESOLVED, That Common Council finds that the acquisition of the property interest will serve a public purpose by enabling the installation of a water main extension that will improve water circulation, water quality, and fire flows to the benefit of the general public and City water users; and be it further

RESOLVED, That Common Council determines that condemnation of the property interest—which is valued at $3,700, is limited in size to approximately 1390 square feet of unimproved land, and will result in the siting a subsurface water main that will not unreasonably interfere with use of the property—is an acquisition de minimis in nature so that the public interest will not be prejudiced by the construction of the project, as provided in EDPL 206(D); and be it further

RESOVED, That, in consideration of the foregoing, the City determines that the condemnation qualifies for exemption as provided in EDPL 206; and be it further

RESOLVED, That the Department of Public Works, in conjunction with the City Attorney, is authorized and requested to act on behalf of the City with respect to acquiring the interest in the subject property through exercise of the City’s eminent domain powers, including without limitation by filing or causing to be filed any necessary legal proceedings, engaging any consultant or counsel to assist with the condemnation, and expending any funds necessary to complete the condemnation, provided, however, that said funds shall be provided from previously authorized departmental operating budgets or applicable capital project accounts.
3. Action Item

.8 Authorization of Transitional Rules for Health Insurance Plan Selection for Active Employees and Those Who Retire Through 2023

WHEREAS, in mid-2020, in the face of dire fiscal projections resulting from the then-recent onset of the pandemic, the Common Council established the Platinum Health Insurance Plan (“Platinum Plan”) offered by the Greater Tompkins County Health Insurance Consortium (“Consortium”) as the default health insurance plan covering the City’s managerial employees, suggesting in the process that this change need not impact the health insurance options available to those members of management anticipating near-term retirements; and

WHEREAS, on September 1, 2021, Council approved an updated Summary of Fringe Benefits for Managerial Personnel (the “Summary”) without negotiation of the same, because by definition management is not entitled to a collective bargaining agreement and receives such compensation and fringe benefits as determined by the Common Council; and

WHEREAS, Section 10 of the Summary, Health & Dental Insurance, codified Council’s decision of the previous year to establish the Platinum Plan as the default health insurance plan covering the City’s managerial employees; and

WHEREAS, Section 10 of the Summary also provides that for so long as the Consortium offers the existing Classic Blue Indemnity Plan (“Indemnity Plan”) those employees enrolled in the Indemnity Plan on July 1, 2021, and who do not thereafter leave the Indemnity Plan, may retain the Indemnity Plan by paying an additional employee contribution; and

WHEREAS, Employees have raised questions about: (1) how Section 10 affects an employee’s ability to elect the Indemnity Plan as an active employee if they switched to the Platinum Plan in 2020 or 2021, and (2) whether an employee who has elected the Platinum Plan as an active employee can, upon retirement, elect enrollment in the Indemnity Plan; and

WHEREAS, the Council now deems it advisable to adopt certain transitional rules to apply in 2022 and 2023 to address the foregoing questions; and

WHEREAS, the transitional rules are contained in a document titled City of Ithaca Fringe Benefits for Managerial Personnel Addendum: January 2022 (the “Addendum”), a copy of which is attached hereto as Exhibit A; now, therefore, be it

RESOLVED, That the Addendum is hereby approved, and the Transitional Rules for Health Insurance Plan Selection for Active Employees and for Those Who Retire through 2023 set forth therein (the “Transitional Rules”) may take effect immediately.
On August 15, 2021, the City of Ithaca released its most recent Summary of Fringe Benefits for Managerial Personnel (“Summary”). Section 10 of the Summary, Health & Dental Insurance, establishes the Platinum Health Insurance Plan (“Platinum Plan”) offered by the Greater Tompkins County Health Insurance Consortium (“Consortium”) as the default health insurance plan covering City employees. Section 10 also provides that for so long as the Consortium offers the existing Classic Blue Indemnity Plan (“Indemnity Plan”) those employees enrolled in the Indemnity Plan on July 1, 2021, and who do not thereafter leave the Indemnity Plan, may retain the Indemnity Plan by paying an additional employee contribution.

Employees have raised questions about: (1) how Section 10 affects an employee’s ability to elect the Indemnity Plan as an active employee if they switched to the Platinum Plan in 2020 or 2021, and (2) whether an employee who has elected the Platinum Plan as an active employee can, upon retirement, elect enrollment in the Indemnity Plan.

The following are the general rules applicable to these questions per the Summary and applicable law and practice for employee benefits:

1. The Platinum Plan is now the default plan the City offers to employees. Section 10 of the Summary, which allows an employee to retain the Indemnity Plan, to the extent offered by the Consortium, and at an additional charge to the employee, is an exception that requires the employee to remain covered continuously by the Indemnity Plan. Accordingly, employees who have discontinued coverage under the Platinum Plan may not elect the Indemnity Plan during subsequent Open and Special Enrollment Periods. The City is modifying this rule to the extent and for the time allowed under the transitional rules set forth below.

2. The health insurance plans available for employees to elect upon retirement will be the following, unless an alternative is available under the terms and for the time allowed pursuant to the transitional rules set forth below:

References to “employee” and “employees” in this Addendum are to managerial employees of the City. This Addendum does not apply to any employees of the City covered by a collective bargaining agreement nor those whose compensation and benefits is standardly tracked to a collective bargaining agreement (i.e., confidential employees).
a. Employees enrolled in the Platinum Plan may continue the Platinum Plan in retirement.

b. Employees enrolled in the Indemnity Plan will be able to continue the Indemnity Plan in retirement, or to elect the Platinum Plan in retirement.

The City intends for the above rules to be fully applicable (unless modified by the City in its discretion) as of January 1, 2024. The following transitional rules will apply in the interim, unless modified by the City in its discretion for cost and efficiency:

1. The City will offer, on a one-time basis during the 2022 Open Enrollment Period, or during a Special Enrollment Period applicable to an employee in 2022, one opportunity for the employee and the employee’s dependents to change their enrollment election from the Platinum Plan to the Indemnity Plan. The standard increased charge for coverage under the Indemnity Plan will apply to an employee who makes such an election. This transitional rule will be applicable only in 2022.

2. Employees who retire in 2022 and 2023 (and those who did retire in 2020 or 2021) may, upon retirement, elect participation for themselves and their eligible dependents in either the Platinum Plan or the Indemnity Plan regardless of their plan enrollment at the end of their active employment. This transitional rule will apply only in 2022 and 2023 (and for previous retirements in 2020 and 2021).

3. Employees who intend to retire after 2023 and who wish to elect the Indemnity Plan in retirement may only do so by maintaining continuous coverage under the Indemnity Plan during active employment, or by electing the Indemnity Plan during any available Open or Special Enrollment Period during 2022 and retaining that election thereafter until retirement.

The Platinum Plan to which the City and its employees are transitioning is a win-win. The Plan provides excellent coverage while allowing for significant overall savings to most employees and savings to the City necessary for it to maintain its bond rating and borrowing capacity.

Please also keep the following in mind. Health insurance programs are dynamic systems. Insurance carriers and plan administrators regularly revise insurance plans and available plan elections from time to time. For example, the Consortium or Excellus may choose to cease offering the Indemnity Plan or, under any plan, to adjust covered services and procedures, or change deductibles or copays. Such adjustments are outside the City’s control, and the City cannot guarantee the absence of changes in any plan or that any plan will be available or offered in the future. The City can, however, and does reiterate its commitment to continue providing its employees with quality health insurance coverage at a cost the City and its employees can afford.
MEMORANDUM

To: Sr. Staff
CC: Acting Mayor Lewis
From: Mayor Myrick
Subject: Managerial Retiree Health Insurance Addendum and Resolution

I want to make sure that you are all aware of the attached resolution and supplement to the managerial fringe benefits policy, which I anticipate will be placed on the February CA Agenda for a final vote a March Council.

This resolution is intended to ensure that managerial employees contemplating near-term retirements are able to retire into the "Classic"/"Indemnity" health insurance plan, as was suggested to managerial employees in mid-2020 when, in the face of dire fiscal projections resulting from the then-recent onset of the pandemic, the City shifted management to a default of the Platinum Plan. Absent the attached resolution, the default necessarily prevents those employees enrolled in Platinum Plan health insurance from opting for Indemnity Plan health insurance in retirement.

"An Equal Opportunity Employer with a commitment to workforce diversification."
3. Action Item
.9 MOU’s for Outside Organizations Funded in 2022 Budget

WHEREAS, the Common Council included within the 2022 budget funding in restricted contingency for two new non-profits to which the City has not previously directed funding; and

WHEREAS, the Common Council additionally included funding for Southside Community Center (“SSCC”), which it has long funded, subject to execution of annual MOU’s specifying the community services that Southside is required to deliver in exchange for the City’s funding; and

WHEREAS, the Human Services Coalition (“HSC”) periodically conducts program reviews of various organizations funded by City and County funds, and has expressed its willingness to assist the City with such reviews as contemplated by this resolution; now, therefore, be it

RESOLVED, That such funding as Council budgeted in restricted contingency for potential expenditure on services to be rendered by Black Hands Universal (“BHU”) and Unbroken Promises Initiative (“UPI”) shall be processed by the Common Council through satisfactory review and approval of the program review and MOU’s required by the following provisions of this resolution, and thereafter released from restricted contingency in such amount as the Common Council may determine; and be it further

RESOLVED, That the City shall request that the HSC conduct, in the same manner as HSC has for many other organizations receiving City or County funding, a program review of BHU and UPI and SSCC, and provide the same to the Common Council for review; and be it further

RESOLVED, That upon Council approval of the program reviews, the Attorney’s Office shall prepare for Council approval, separate MOU’s for SSCC, BHU, and UPI:

- specifying the community services that each organization is required to deliver in exchange for the City’s funding;
- requiring each organization to prepare and, no later than September 1, 2022, file with the City Controller for usage in the 2023 budget process, a report detailing the manner in which City funds were expended by that organization in 2022, how many people were served by that organization and in what manner; and
- requiring each organization to agree to collaborate with and amongst SSCC, BHU, UPI, GIAC, and IYB to the maximum extent possible to ensure that services reach a broad population, avoid redundancy, and assist each other in becoming more efficient at serving their overlapping goals.
3. Action Item
.10 Resolution Urging the Department of Interior and Bureau of Indian Affairs to Heed Gayoghoghño’ Removal of Clint Halftown from Representative Role

WHEREAS, the sovereign nations of the Haudenosaunee Confederacy lived sustainably since time immemorial in the region that now includes most of New York State, before the arrival of European colonists; and

WHEREAS, the Two Row Wampum Treaty' (the first agreement between the Haudenosaunee Confederacy and European settlers in 1613, the principles of which were later extended to the United States) commits to noninterference in one another’s governance affairs while proceeding in relationships of peace and friendship; and

WHEREAS, according to the Haudenosaunee Confederacy’s Great Law of Peace², the governing body of the Gayoghoghño’ (Cayuga Nation) is the Council of Chiefs; and

WHEREAS, according to the Haudenosaunee Confederacy’s Great Law of Peace², Chiefs are chosen by Clanmothers in a consensus process known as coming to “one mind” amongst Nation citizens, Clanmothers, and Chiefs, with their role then confirmed through a “large condolence” process; and

WHEREAS, as the Gayoghoghño’ Council of Chiefs and Clanmothers has reminded the federal government, within the Gayoghoghño’ system of governance, “there is no role of ‘Nation Representative’”; however, as a courtesy to help ease the U.S. government’s administrative burden of carrying out its contractual and treaty obligations to Indigenous Nations, the Nation’s governing body has previously designated such a representative to serve as a point of contact⁴; and

WHEREAS, the person currently recognized by the U.S. Department of Interior (DOI) and Bureau of Indian Affairs (BIA) as the above-described representative of the Cayuga Nation, Clint Halftown, had been acting as a temporary clan representative during an interim period until a Chief was condoled to serve on the Council, but was removed from his representative position by his Clanmother and the Council of Chiefs through governance processes of the Great Law of Peace, as publicly described by the Gayoghoghño’ on multiple occasions⁵; and

WHEREAS, in open contradiction of the Gayoghoghño’ Council of Chiefs and Clanmothers, the DOI and BIA continue to recognize Clint Halftown as a representative of the Cayuga Nation; and

WHEREAS, Clint Halftown ordered the February 22, 2020, overnight demolition⁶ of Gayoghoghño’ community buildings in Seneca Falls, including a schoolhouse used for learning language and longhouse ways, and gardens; and
WHEREAS, in accordance with the principles of the Two Row Wampum, the Gayogohóꞌnáꞌ have put forth requests for help (including within a May 15, 2021, letter from the Council of Chiefs7), asking those within the U.S. to hold the U.S. government accountable for its failure to heed the Council of Chiefs and Clanmothers’ removal of Halftown; and

WHEREAS, in 2013 the City of Ithaca passed a resolution in support of the Two-Row Wampum Renewal campaign, calling on citizens of the City of Ithaca and on the State of New York to build positive and respectful relations with their Native neighbors and all Native Peoples; now therefore be it

RESOLVED, That The City of Ithaca urges the DOI and BIA to immediately cease recognizing Clint Halftown as a representative of the Nation, and be it further

RESOLVED, That The City of Ithaca will engage with the Gayogohóꞌnáꞌ Council of Chiefs and Clanmothers in all matters pertaining to the City’s government-to-government relationship with the Nation, and be it further

RESOLVED, That a copy of this resolution will be sent to the following officials:

US President Joe Biden
US Secretary of the Interior Debra Anne Haaland
US Department of Interior Principal Deputy Assistant Secretary -- Indian Affairs
    Bryan Newland;
US BIA Director Darryl LaCounte;
US Bureau of Indian Affairs (BIA) -- Eastern Regional Director Kimberly
    Bouchard; NY Governor Kathy Hochul;
US Senator Charles Schumer;
US Senator Kirsten Gillibrand;
US Congressperson John Katko
US Congressperson Tom Reed;
NYS Assemblyperson Anna Kelles;
NYS Senator Thomas O’Mara;

this resolution will take effect immediately.

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[SUPPORTING DOCUMENTS for Ithaca City Common Council Resolution] Please feel free to consult this list of assembled materials to expand your familiarity with necessary pieces of context you may be unfamiliar with. To help make the list approachable, the sources are labeled with numbers corresponding to a relevant place in the resolution where that document may be informative, in the order these topics arise within the resolution. (These sources have been compiled as a courtesy to help educate those deciding their position on this resolution, but the final draft of the resolution would not include these numbered notes.)
May 15, 2021

The Cayuga Nation Council of Chiefs, Clanmothers, Faithkeepers, men, women, and children send greetings and are hopeful this letter finds you and your family in good health and spirits in these unprecedented times.

We would like to bring to your attention a threat that is happening to the traditional Cayuga citizens that currently reside in the traditional territory of the Cayuga Nation. These residences are in Seneca County, New York, which lies within the traditional territory of the Cayuga Nation.

In the early morning hours of February 22, 2020, the traditional Cayuga citizens living on the traditional territory awoke to the destruction of their schoolhouse/longhouse along with several residential homes and businesses. This act of violence and destruction was ordered by Clint Halftown.

The traditional Cayuga citizens living on the homeland are currently facing another crisis. This crisis is in the form of evictions from their residence by the Bureau of Indian Affairs Federal representative Clint Halftown. In the middle of a global pandemic Clint Halftown has issued eviction notices and court dates to the traditional Cayuga citizens. The Cayuga Nation citizens, Chiefs and Clanmothers consider the court established by Halftown as illegitimate. They are also experiencing daily harassment by an equally illegitimate non-Cayuga police force. How is it that a non-Cayuga citizen attempt to physically remove a Cayuga citizen from their traditional territory?

The Bureau of Indian Affairs recognizes a group led by Federal representative Clint Halftown. Clint Halftown has failed as a Federal representative to the traditional Cayuga citizens. Clint Halftown continues to bring harm, anxiety, and stress to the traditional Cayuga citizens in an already stressful year.

The Bureau of Indian Affairs has endorsed Clint Halftown as the Federal Representative and his illegitimate government and now they must remove him before he creates more devastation or death to the traditional Cayuga citizens or harm to innocent American citizens.

The Cayuga Nation Council of Chiefs also state that we do not support Clint Halftown his government or his actions and to cease and desist from using the collective rights of the Cayuga Nation.

The traditional Cayuga Nation Chiefs reference Article VII of the 1794 Canandaigua Treaty which states, “... complaint shall be made by the party injured, to the other: by the Six Nations or any of them, to the President of the United States.”
The Cayuga Nation Council of Chiefs ask you as leadership within the United States of American to pressure the President or the Bureau of Indian Affairs to seek the immediate removal of Clint Halftown and his government.

Therefore, we implore upon you to urge your elected representatives to encourage the President to meet with the tradition Cayuga Nation Chiefs to resolve this issue immediately before more violence occurs.

We would also like to acknowledge and thank our allies that are currently camping at locations of some of the traditional Cayuga citizens.

Due to the ongoing pandemic the traditional Cayuga Nation Council has been holding virtual meetings. In consultation with the below listed Cayuga Chiefs, it has been determined that Shoyo:we:s and Deskaheh will sign on behalf of the traditional Cayuga Council of Chiefs.

In peace and friendship,

Cayuga Nation Council of Chiefs

Gaji’nodaweheh  Steve Maracle
Gadagwá:sq’  Andy Warner
Hagya’drohne’  Blake Bomberry
Deyohqowetq’o:’  Roger Silversmith
Hadqada:heha’  William C. Jacobs

Shoyo:we:s  Samuel George

Deskaheh  Steven E. Jacobs
LOCAL LAW AMENDING CHAPTER 215 (UNLAWFUL DISCRIMINATORY PRACTICES) OF PART II (GENERAL LEGISLATION) OF THE CODE OF THE CITY OF ITHACA IN RELATION TO UNLAWFUL DISCRIMINATORY PRACTICES

Section 1. Chapter 215 (Unlawful Discriminatory Practices) of Part II (General Legislation) of the Code of the City of Ithaca is hereby amended as follows:

§215-1 Findings of fact; statement of purpose.
   A. The City of Ithaca has an interest in providing protection against discrimination to its residents.
   B. Equitable employer-employee relations are a matter of public welfare.
   C. Wage transparency empowers employees to make informed decisions about personal financial and economic stability.

§215-2 Definitions

EMPLOYEE
   Does not include any individual employed by his or her parents, spouse or child, or in the domestic service of any person.

EMPLOYER
   Does not include any employer with fewer than four persons in his or her employ.

EMPLOYMENT AGENCY
   Includes any person undertaking to procure employees or opportunities to work.

UNLAWFUL DISCRIMINATORY PRACTICE
   Includes only those practices specified in sections of this article.

Section 215-3 of the General Legislation of the Code of the City of Ithaca is hereby amended by adding a new subdivision F. to read as follows:

F. Employment; minimum and maximum salary in job listings.
   a. It shall be an unlawful discriminatory practice for an employment agency, employer, employee or agent thereof to advertise a job, promotion or transfer opportunity without stating the minimum and maximum salary for such position in such advertisement. In stating the minimum and maximum salary for a position, the range may extend from the lowest to the highest salary the employer in good faith believes at the time of the posting it would pay for the advertised job, promotion or transfer opportunity.

   b. This subdivision does not apply to a job advertisement for temporary employment at a temporary help firm as such term is defined by subdivision 5 of section 916 of article 31 of the labor law.

Section 2. This local law takes effect 90 days after final passage, public hearing, and filing with the Secretary of State.