# CITY ADMINISTRATION COMMITTEE

**AGENDA ITEMS**

<table>
<thead>
<tr>
<th>Item</th>
<th>Voting Item?</th>
<th>Presenter(s)</th>
<th>Time Allocated</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Call to Order</td>
<td>No</td>
<td>Chair, Robert Cantelmo</td>
<td></td>
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<tr>
<td>1.1 Agenda Review</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://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg">https://bit.ly/3pDc1LD</a></td>
<td>15 Min</td>
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<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>
<td>15 Min</td>
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<td>1.4 Council’s Response</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 YB - Amendment to Roster &amp; Budget</td>
<td>Yes</td>
<td></td>
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<tr>
<td>2.2 Approval of Recreation Partnership Contract</td>
<td>Yes</td>
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<td>2.3 PIT – Amendment to Roster</td>
<td>Yes</td>
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<td>3. Action Items</td>
<td>Yes</td>
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<tr>
<td>3.1 DPW - Request to Amend CP 869 and Award Contract</td>
<td>Yes</td>
<td>Tim Logue, Director of Eng.</td>
<td>10 Min</td>
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<tr>
<td>3.2 DPW - Amendment to Capital Project 733</td>
<td>Yes</td>
<td>Tim Logue, Director of Eng.</td>
<td>10 Min</td>
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<tr>
<td>3.3 DPW - City-Wide Default Speed Limit From 30 Miles Per Hour to 20 Miles Per Hour</td>
<td>Yes</td>
<td>Eric Hathaway, Director of Transportation and Parking</td>
<td>10 Min</td>
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<tr>
<td>3.4 DPW - Authorization of Hazard Mitigation Grant Program Application</td>
<td>Yes</td>
<td>Mike Thorne, Supt of PW</td>
<td>10 Min</td>
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<tr>
<td>3.5 DPW - Authorization to Acquire Real Property for a Public Sidewalk Easement</td>
<td>Yes</td>
<td>Tim Logue, Director of Eng.</td>
<td>10 Min</td>
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<td>3.6 Hangar Theatre Company Funding Request</td>
<td>Yes</td>
<td>Faith Vavra, Chief of Staff</td>
<td>10 Min</td>
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<tr>
<td>3.7 Southside Funding for 2022 Budget</td>
<td>Yes</td>
<td>Faith Vavra, Chief of Staff</td>
<td>10 Min</td>
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<tr>
<td>3.8 Unbroken Promises Initiative and Black Hands Universal funding from 2022 Budget</td>
<td>Yes</td>
<td>Faith Vavra, Chief of Staff</td>
<td>10 Min</td>
</tr>
<tr>
<td>3.9 Transitional Rules for Managerial and Confidential Retiree Health Insurance Plan</td>
<td>Yes</td>
<td>Ari Lavine, Attorney</td>
<td>10 Min</td>
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<td>4. Discussion</td>
<td>No</td>
<td>Julie Holcomb, City Clerk</td>
<td>10 Min</td>
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<td>4.1 Taxicab Fare Regulation</td>
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<td>5. Meeting Wrap-Up</td>
<td>No</td>
<td>All</td>
<td>5 Min</td>
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<tr>
<td>5.1 Announcements</td>
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<td>5.2 Next Meeting Date: April 27, 2022</td>
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<tr>
<td>5.3 Review Agenda Items for Next Meeting</td>
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<td>5.4 Adjourn</td>
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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 Item
.1 Youth Bureau - Amendment to the 2022 Roster & Budget

WHEREAS, The Youth Bureau is requesting permission to amend the 2022 personnel roster; and

WHEREAS, the Youth Bureau has worked with HR to determine the positions that best meet our current needs in the Recreation Department; and

WHEREAS, the Civil Service Commission approved the New Position Duty Statement for two (2) Recreation Specialist (40 hour); and, now, therefore, be it

RESOLVED, That the Personnel Roster of the Youth Bureau shall be amended effective April 11, 2022, as follows:

Add Two (2) Recreation Specialist (40 hours)

Defund: One (1) Recreation Program Leader (17 hours)
Defund: One (1) Administrative Assistant (35 hours)
Defund: One (1) Recreation Program Leader (40 hours)

Fund Two (2) Recreation Specialist (40 hours)

and, be it further

RESOLVED, That any existing funds associated with this change will come from within the approved 2022 Ithaca Youth Bureau budget.
To: City Administration Committee  
From: Liz Klohmann, Director  
Re: 2022 Roster and Budget Amendment  
Date: 3/23/22

The Youth Bureau is requesting permission to amend the 2022 personnel roster. We would like to add two (2) 40-hour Recreation Specialist positions to the 2022 roster. A New Position Duty Statement was approved at the February Civil Service Commission meeting.

We are also requesting permission to amend the 2022 budget to fund both positions:

Defund:
- one Recreation Program Leader (40 hours)
- one vacant Administrative Assistant (Cass Park- 35 hour)
- one Recreation Program Leader (17 hours)

Fund:
- One Recreation Specialist (40 hours)
- One Recreation Specialist (40 hours)
2. Consent Item
   .2 Approval of Recreation Partnership Agreement

WHEREAS, the undersigned municipalities enter into this Intermunicipal shared services agreement for a five year renewable recreation partnership, and

WHEREAS, the membership of the Recreation Partnership (RP) includes Towns of Caroline, Danby, Dryden, Enfield, Groton, Ithaca, Newfield, and Ulysses (including Trumansburg School District), the Village of Lansing, City of Ithaca, and Tompkins County, and

WHEREAS, this agreement shall become effective upon execution by each and every participating municipality and shall be in force for the period beginning January 1, 2023, through December 31, 2027, and may be renewed for an additional five years by appropriate resolutions by each of the municipal partners on or before December 31, 2027; now, therefore, be it

RESOLVED, That the City of Ithaca will continue its membership in the Recreation Partnership Agreement from January 1, 2023, to December 31, 2027, and be it further

RESOLVED, That the City of Ithaca will continue to contribute one quarter of the total cost of the Recreation Partnership, an amount that is determined and recommended by the RP board annually to participating municipalities, and be it further

RESOLVED, That Common Council votes to approve this Recreation Partnership Agreement for 2023 - 2027 and authorizes Acting Mayor Lewis to enter into the contract.
2. Consent Item

3. PIT - Amendment to Personnel Roster – Event Permit Specialist

WHEREAS, Common Council included funding in the 2022 Budget to create a new position that would oversee the special event permitting process for the City; and

WHEREAS, after collaboration between members of the Planning, Building and Economic Development Department, the Chief of Staff, and the City Clerk, it was determined that this position would be better placed in the Department of Public Information and Technology so that the issuance of additional permits could be consolidated into the position duties and responsibilities; and

WHEREAS, the consolidation of responsibilities would provide both a comprehensive view of events happening throughout the city at any given time, as well as a single point of contact to answer questions and resolve issues; now, therefore, be it

RESOLVED, That the Personnel Roster of the Department of Public Information and Technology be amended as follows:

Add: One (1) Event Permit Specialist

and, be it further

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

Delete: One (1) Event Permit Specialist

and, be it further

RESOLVED, That the position of Event Permit Specialist shall be assigned to the Management Compensation Plan at salary grade 5, 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 the funding for this change shall be derived from the transfer of funds from the following Planning Department accounts:

A8020-5110 Staff Salaries $53,256
A8020-9010 Retirement $5,645
A8020-9030 FICA/Medicare $4,074
A8020-9040 Workers Comp $1,065
A8020-9060 Health Insurance $16,651
A8020-9070 Dental $250
To the following Department of Public Information and Technology accounts:

A1316-5110 Staff Salaries $53,256
A1316-9010 Retirement $5,645
A1316-9030 FICA/Medicare $4,074
A1316-9040 Workers Comp $1,065
A1316-9060 Health Insurance $16,651
A1316-9070 Dental $250
3. Action Items

.1 DPW - Request to Increase Authorization of CP 869 College Avenue Reconstruction and Award Contract for Construction

WHEREAS, Common Council authorized Capital Project # 869, College Avenue Reconstruction, as part of the 2020 adopted budget in the amount of $1,000,000; and

WHEREAS, the scope of the Project includes designing and building an underground telecommunications system, accommodating the City-directed and NYSEG sponsored undergrounding of overhead electric facilities, and then fully reconstructing the street and sidewalks from Mitchell Street to Dryden Road; and

WHEREAS, the Project is a Type II action in accordance with SEQR (6 NYSCRR Part 617.5 Section C5) and CEQR (City Code Chapter 176-5 Section C3); and

WHEREAS, after committing approximately $550,000 to accomplish the telecommunications system, there remains a balance of $450,000; and

WHEREAS, the Engineering division of DPW designed the streetscape and on February 16, 2022, advertised construction documents for bidding; and

WHEREAS, on March 9, 2022, three bids were received and publicly read aloud, with the low bidder being Seneca Stone Corporation from Seneca Falls, NY in the amount of $2,260,000; and

WHEREAS, to accommodate other construction and financing needs, the Engineering Division is recommending an additional authorization of $1,850,000, now, therefore, be it

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

RESOLVED, That the sum of $1,850,000 is hereby appropriated from the issuance of serial bonds and made available to cover the costs of the Project, and be it further

RESOLVED, That Common Council hereby amends Capital Project # 869, College Avenue Reconstruction, to include the additional Project costs of $1,850,000, bringing the total authorization to $2,850,000, and be it further

RESOLVED, That Common Council directs the Engineering division to submit all eligible costs in excess of the original $1,000,000 authorized for this Project to the New York State Department of Transportation for reimbursement, and be it further

RESOLVED, That the Superintendent of Public Works is hereby authorized to award the construction contract to Seneca Stone Corporation, 2747 Canoga Road, Seneca Falls, NY for their low bid of $2,260,000 and proceed with the project.
To: City Administration Committee  
From: Tim Logue, Director of Engineering  
Date: March 11, 2022  
Re: Request to Increase Authorization for College Avenue Reconstruction

Please find enclosed a resolution authorizing additional funding for CP 869, College Avenue Reconstruction and awarding the contract to the lowest responsible bidder.

In the 2020 adopted budget, Common Council authorized $1,000,000 for this project. Since then, we have signed two commitments against this amount - $55,750 to provide design and construction administration services for the City-owned underground telecom system on College Avenue between Dryden Road and Mitchell Street and $483,000 to construct it. Saving $11,250 for financing and miscellaneous costs, the balance is $450,000.

On Wednesday, March 9th, we opened bids for the College Avenue Reconstruction project. We designed this streetscape project in-house; contract documents, including plans, are available on the City’s bids webpage. We had three bidders and the low bidder was Seneca Stone Corporation of Seneca Falls at $2,260,000. We will provide construction inspection and admin ourselves, but will need a material testing budget of approximately $30,000. With this increased authorization, I would also add an additional budget of $10,000 for additional financing fees, as needed. Thus, our total expected costs for the next phase are $2.3M. With $450K available, the budget gap is $1,850,000.

This past year, New York State gave the City $2.2M in State Touring Route funds, similar to the CHIPs program. The College Ave project is eligible for reimbursement under the State Touring Route program. In talking with Mike Thorne, we think this is the best way to handle this project. So, the resolution authorizes funding in the first instance with CHIPs reimbursement to follow. The resolution then authorizes the Superintendent to award the construction contract.
3. Action Item
.2 DPW - Amendment to Capital Project 733 for Cass Park Rink Enclosure

WHEREAS, Capital Project 733 was established in 2008 in an amount of $45,000 to design and renovate the Cass Park Rink; and

WHEREAS, Common Council has amended this project over the years (including, most recently in the 2022 adopted budget), for a total authorization of $3,352,700 in order to fund, in various phases, the design and construction of complete replacement of the ice making equipment, concrete slab and sub-slab utilities, dasher boards, roof and roof extension, modern lighting and sound system, and the design of a project to enclose and dehumidify the rink building (the Rink Enclosure project), leaving a current balance of authorization of $722,523; and

WHEREAS, on July 17, 2018, the Board of Public Works, acting as the lead agency, reviewed the Rink Enclosure project and declared that it would not have a significant negative environmental impact in accordance with the NYS Environmental Quality Review Act and the City of Ithaca Environmental Quality Review Ordinance; and

WHEREAS, the Youth Bureau has been successful in receiving a New York State, State and Municipal Facilities grant in the amount of $300,000 and a NYS Environmental Protection Fund grant in the amount of $523,269 for the Rink Enclosure project; and

WHEREAS, the Friends of the Ithaca Youth Bureau have been successful in fundraising a total amount of $475,000, and are prepared to make such a donation to the City of Ithaca this summer for the Rink Enclosure project; and

WHEREAS, bids were opened on April 1, 2022, for the Rink Enclosure project and the low bidder for General Construction was Bouley Associates of Auburn, NY at $1,544,500, and the low bidder for Electric Construction was Knapp Electric of Auburn, NY at $99,940, and the low bidder for HVAC Construction was AFT Mechanical of Elmira, NY at $541,824, for a total construction cost of $2,186,264; and

WHEREAS, Engineering staff is recommending award of contract to the low bidders conditioned on additional budget, plus an allowance for construction administration, inspection, material testing and a 5% construction contingency; now, therefore be it

RESOLVED, That Common Council hereby amends Capital Project #733 by $400,000 for the project, bringing the total authorization to $3,752,700; and, be it further

RESOLVED, That funds needed for said amendment shall be derived from issuance of Serial Bonds; and be it further

RESOLVED, Common Council hereby authorizes the Superintendent of Public Works to award and execute contracts with the low bidders for the Cass Park Rink Enclosure project.
To: City Administration Committee  
From: Tim Logue, Director of Engineering  
Date: March 3, 2022  
Re: Cass Park Rink Enclosure – budget amendment

On March 1st, we opened bids on the Cass Park Rink Enclosure project. Fortunately, we got qualified bidders. Unfortunately, we only got one bid for each of the needed trades and the bids combined are over our established budget, especially while holding funds for necessary construction administration, inspection, material testing and a recommended construction contingency of five percent. As you can see in the attached table, the Youth Bureau has been successful in reeling in two state grants totaling $823,269 and the Friends of the Ithaca Youth Bureau have been very successful in fundraising, raising a total of approximately $475,000. While we were hoping for a federal earmark for this project, I understand it isn’t going to make it into any appropriations bill and this leaves us short.

While the three bids received are over our estimated costs, as prepared by Stantec Consulting, our architecture & engineering consultants, I don’t believe they are out of order. The electric bid is on target. The mechanical bid is a little high (by about 25%), but we did specify an all-electric dehumidification system in order to further our Green New Deal goals. The general construction is the significant overage, but it was from the prime contractor for the recent Cascadilla Boathouse renovation and we had a very good experience with them. I did call around to a few other general contractors who didn’t bid and I heard that they were short in people power, especially in job supervision and mid-level project management and that they already have work lined up for this year. We also know that costs are up for most building projects due to labor shortages and supply chain issues.

Based on this research and in conversation with Stantec, we believe the City is not likely to get better prices by rebidding the project. Delaying the project by one year is also not likely to get lower prices and would mean going through another ice making season which is problematic. With this information, I think it is best to award these contracts and complete this phase of rink renovations. Please find attached a resolution to this effect.
### Sources

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<th>Source</th>
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<tr>
<td>DASNY, PIN 22645</td>
<td>$300,000</td>
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<tr>
<td>NYSOPRHP EPF Grant # PRK01-C92864GG-1290000</td>
<td>$523,269</td>
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<td>City of Ithaca CP 733 Balance of Authorization</td>
<td>$253,323</td>
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<td>City of Ithaca 2022 Capital Program</td>
<td>$469,200</td>
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<td>Friends of the Ithaca Youth Bureau CD</td>
<td>$280,000</td>
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<td>Friends of the Ithaca Youth Bureau cash</td>
<td>$95,000</td>
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<td>Friends of the Ithaca Youth Bureau (Incodema/Whittaker gift)</td>
<td>$100,000</td>
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<td><strong>TOTAL</strong></td>
<td><strong>$2,020,792</strong></td>
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### Uses

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<th>Use</th>
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<tr>
<td>General Construction - bid price</td>
<td>$1,544,500</td>
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<td>- bid price</td>
<td>$99,940</td>
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<tr>
<td>HVAC Construction - bid price</td>
<td>$541,824</td>
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<td>Construction Admin (Stantec)</td>
<td>$84,900</td>
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<td>Commissioning (estimated)</td>
<td>$20,000</td>
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<tr>
<td>Material Testing (estimated)</td>
<td>$10,000</td>
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<td>Contingency (5% of construction)</td>
<td>$109,313</td>
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<td><strong>TOTAL</strong></td>
<td><strong>$2,410,477</strong></td>
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difference $ (389,685)
3. Action Items

.3 DPW - Support of State Legislation to Allow the Reduction of the City-Wide Default Speed Limit From 30 Miles Per Hour to 20 Miles Per Hour

WHEREAS, the observed speeds that citizens report as feeling unsafe in their communities has been shown to be less than 30 miles per hour through speed evaluations; and

WHEREAS, Federal Highway Administration methodologies recommend speed limits 25 miles per hour and under on the type of roadways common in the City of Ithaca; and

WHEREAS, a study by the Insurance Institute for Highway Safety demonstrated that a City-wide speed limit reduction in Boston from 30 miles per hour to 25 miles per hour resulted in lower speeds, especially in excess of 35 miles per hour; and

WHEREAS, reduced speeds minimize stopping distance of vehicles and the likelihood of injury or fatality as a result of a collision with a pedestrian; and

WHEREAS, reduced speeds narrow the difference in operating speeds of vehicles and bicycles, which can improve safety for these vulnerable users of the roadway network; and

WHEREAS, in pandemic we have seen an increase in the rates of pedestrian and bicyclist injuries and deaths nationally; and

WHEREAS, lower speeds provide greater flexibility in roadway design; and

WHEREAS, a reduction in speed from 30 miles per hour to 25 miles per hour represents an increase in travel time of only 24 seconds per mile under free flow conditions; and

WHEREAS, the State Vehicle and Traffic Law Section 1643 prohibits cities and villages outside New York City from establishing area-wide speed limits below 30 miles per hour and also prohibits establishing any speed limit under 25 miles per hour on any roadway (except school zones).

WHEREAS, in some cases, this law prevents the City from establishing appropriate speed limits based on accepted engineering practices; and

WHEREAS, New York State Assemblymember Amy Paulin has introduced Assembly bill 107, which is the same as Senate blil 2021 introduced by Senator Rachel May, which would enable cities, villages and towns to establish a maximum speed limit applicable throughout the municipality of 25 mph; now, therefore, be it

RESOLVED, By the Common Council of the City of Ithaca, NY, that:

SECTION 1. The City of Ithaca hereby expresses its support for Assembly bill 1007 and Senate bill 2021 and requests that its state representatives, Assemblymember Anna
Kelless and Senator Tom O’Mara, support this legislation, ask the prime sponsors to amend the bill to allow reductions to 20 mph, and that our representatives do all in their power to advance this bill, with the 20 mph amendment, in the New York State Legislature.
To: Common Council  
From: Eric Hathaway, Director of Transportation and Parking  
Date: 3/10/2022  
Re: City Speed Limit Change

In February of 2019, Common Council endorsed the attached resolution supporting a change to the State of New York Vehicle and Traffic Law Title 8, Article 38, Section 1643 to allow all communities to establish a city-wide speed limit as low as 25 miles per hour. Currently, this law only allows city-wide speed limits of 30 mph or above and minimum speed limits of 25 mph on any individual street.

Since that time, Assemblywoman Amy Paulin has introduced two bills (A01007 and A01246) that would reduce the minimum city-wide speed limit to 25 mph. This bill would enable the City of Ithaca to set speed limits that are safer and more appropriate for our City. Assemblymember Anna Kelles has requested that the City officially endorse this bill to enable her to successfully advocate for it.

Per the attached resolution, I ask that Common Council support this bill and request that it be amended to allow speed limits as low as 20 mph to be established.
Attachments
Previous Memo and Resolution from 2019
To: Common Council  
From: Eric Hathaway, Transportation Engineer  
Date: 1/21/2019  
Re: Vision Zero Initiative

I am writing to request that Common Council consider adopting the attached resolution and officially embrace a “Vision Zero” strategy for the City’s roadway network. Vision Zero is a methodology to eliminate traffic fatalities and severe injuries occurring on the roadway network. Vision Zero is a non-traditional approach to safety that requires a shift in how communities approach decisions, actions, attitudes and safe mobility.

Vision Zero’s innovative “Safe Systems” approach acknowledges that people make mistakes and focuses on influencing system-wide practices, policies, and designs to lessen the severity of crashes.

The three core elements for all Vision Zero communities are described below:

**Core Elements**

*Leadership and Commitment*

- The Mayor, elected officials, and leaders within transportation, public health and police, commit to the goal of eliminating fatalities and serious injuries by a specific timeframe. These leaders work collaboratively toward this goal.
- Meaningful and accessible community engagement is employed with a focus on equity
- An action plan is developed with goals and strategies for achieving them
- Projects are prioritized that have safety benefits

*Safe Roadways and Safe Speeds*

- Streets are designed to create safe, well-connected transportation network for all users
- Proven speed management policies are used to achieve safe conditions for all users
Data-Driven Approach, Transparency and Accountability

- Commitment is made to equitable approach and outcomes, prioritizing engagement and investments in under-served communities
- A proactive, systems-based approach is used to identify and address risk factors
- Map of fatal and severe injury crashes is developed to prioritize projects
- Findings are shared with decision makers and the public

I believe that the core elements described above represents a comprehensive approach to traffic safety that would effect change in our community. The natural question to ask; however, is whether we have a problem worth solving. What I have described above is a significant effort and represents a change from how most communities approach safety.

The engineering office has begun a city-wide evaluation of the crash trends for a 10 year period using a state-wide database. We have found a record of 11,525 crashes, 1,393 (12%) injury crashes, 178 (1.5%) severe injury crashes and 5 fatalities. Based on these numbers, I do believe that the City of Ithaca has room to improve safety and that a comprehensive approach is justified.

Next Steps

If Common Council and Mayor Myrick adopt Vision Zero, below are some of the initiatives that I would undertake to move towards a safer transportation network. I invite further suggestions as well.

- Conduct a kick-off meeting with at least the following stakeholders to discuss Vision Zero, partnership opportunities and key components of an action plan.
  - Jan Lynch, Executive Director of Finger Lakes Independence Center
  - Lisa Monroe, Director of Tompkins County Office for the Aging
  - Nydia Boyd, Executive Director Southside Community Center
  - Pete Tyler, Police Chief
  - Dr. Luvelle Brown, Superintendent ICSD
  - David Smith, NYSDOT Region 3 Regional Director
  - Fernando DeAragon, Executive Director ITCTC
  - Frank Kruppas, Public Health Director Tompkins County
  - Victoria Armstrong, Bike Walk Tompkins
  - Bridgette Brady, Senior Director of Transportation Cornell University
  - Scot VanderPool, TCAT Operation Manager
  - Gary Ferguson, Downtown Ithaca Alliance
  - Member of Common Council
  - Member of Board of Public Works
  - Member of MATCOM
  - Member of Way2Go
  - A representative from all active neighborhood groups
- Create a working group, made up of representatives from the Ithaca Police Department, Public Health Department and the Transportation Engineer to meet quarterly on initiatives and report back annually to the group listed above.
- Conduct Public Outreach Meetings with a focus on existing community groups and communities that have not already requested traffic calming improvements.
• These meetings would focus on anecdotal safety information not available from crash data such as near-misses or places where people avoid walking or biking due to safety concerns.
• Send an open invitation to neighborhoods that would like to welcome the Transportation Engineer to walk their streets with them and discuss their concerns
• Engage with the public health community to bring a new perspectives and information to the issue of traffic crashes. Some communities have partnered with hospitals to collect additional information on crashes involving pedestrians and bicyclists, as this information is often under-reported in traditional crash records. The health community could also bring an epidemiological perspective to identify risk factors in crashes.
• Develop a complete streets design policy in coordination with the City’s upcoming Transportation Plan
• Further evaluate crash records resulting in severe injuries and fatalities to find trends and associated systemic countermeasures
• Investigate locations with higher crash occurrences and rates to identify location specific countermeasures
• Seek grants to install advanced traffic signal equipment that can better detect and react to vehicle, bicycle and pedestrian behavior
• Update existing traffic signal controllers and communications network to optimize vehicle progression at speeds of 25 miles per hour
• Continue to pursue jurisdictional realignment that would grant the City control over traffic signal operation and roadway design in downtown Ithaca along Green Street and Seneca Street

An Immediate Action

The first action I recommend under the Vision Zero initiative is to pursue lowering the area-wide speed limit from 30 miles per hour to 25 miles per hour.

The Engineering Office has evaluated speeds at roughly 20 locations as part of the City’s traffic calming program. One finding from this work is that traffic speeds on many of these streets is almost entirely under the city-wide speed limit of 30 miles per hour. Considering this, along with the residential nature of almost all of Ithaca’s streets, it is our conclusion that it would be appropriate to reduce the speed limit to 25 miles per hour on the majority of Ithaca’s roadway network and to 20 miles per hour in some locations.

A recent study by the Insurance Institute for Highway Safety found that a City-wide speed limit reduction in Boston from 30 miles per hour to 25 miles per hour resulted in lower speeds. This was independent of roadway infrastructure changes. Average speeds were not greatly impacted, but the number of vehicles traveling over 35 miles per hour was reduced by 29.3 percent. It is well documented that speeds in this range represent a danger to pedestrians.

Unfortunately, New York state law does not currently allow communities to establish city-wide speed limits under 30 miles per hour. The attached resolution would establish that Common Council believes this is not appropriate. The attached resolution states that an appropriate state law would permit the City of Ithaca, and all other cities and villages in New York State, to establish appropriate city-wide and individual street speed limits, based on accepted engineering practices.
Through my conversations with Barbara Lifton’s office, this resolution would be the first step towards requesting that the state law be changed to allow communities to establish appropriate speeds in their community. I do want to clarify that setting a city-wide speed limit of 25 miles per hour does not preclude setting individual speed limits higher than 25 miles per hour. It is likely that some roadways in the City would remain posted at 30 miles per hour; however, they would be the minority of roadways. Therefore, a 25 mile per hour area speed limit would be more appropriate and efficient for city-wide signage.

**Conclusion**

I believe that, by the City adopting Vision Zero as a philosophy, we have an opportunity to better understand traffic safety issues and will be better equipped to improve safety.
RESOLUTION NO. _______________

A RESOLUTION SUPPORTING THE CITY OF ITHACA’S VISION ZERO PLAN TO ELIMINATE ALL TRAFFIC-RELATED FATALITIES AND SERIOUS INJURIES

WHEREAS, traffic crashes are among the leading cause of death and injury within the United States; and

WHEREAS, traffic crashes are the leading cause of injury related death, second leading cause of injury related hospitalizations and third leading cause for injury related emergency department visits in New York State. On average, three New Yorkers die every day due to a traffic-related crash. The combined hospitalization and emergency department charges average $1.1 billion, annually; and

WHEREAS, from 2008 to 2017 the City of Ithaca had a total of 182 serious injury crashes including 5 fatalities; and

WHEREAS, the City is hereby recognizing that these crash statistics are not acceptable for citizens, commuters, and tourists who live, work and play in the City of Ithaca; and

WHEREAS, death and injury on our streets is unacceptable and many serious crashes are preventable; and

WHEREAS, traffic deaths and serious injuries in the United States have disproportionately impacted pedestrians, cyclists, people of color, low-income households, older adults and youth, people with disabilities, and households with limited vehicle access; and

WHEREAS, the City will hereby commit to decreasing these crash statistics by endorsing Vision Zero, which is a safe systems approach and strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all; and

WHEREAS, the City of Ithaca will create a Vision Zero action plan that focuses on safety as a primary objective in designing transportation projects;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Ithaca, NY, that:

SECTION 1. The City of Ithaca hereby adopts a goal of eliminating traffic deaths and serious injuries; and endorses Vision Zero as a comprehensive and collaborative approach that involves several City departments in order to achieve this goal, and be it further
RESOLVED The Common Council directs Public Works and Police Department to create and pursue a Vision Zero Action Plan for future consideration by the Common Council, based upon a comprehensive analysis of traffic deaths and injuries in the City of Ithaca.

SECTION 3. Common Council directs the Transportation Engineer to oversee the Vision Zero Action Plan to addresses traffic deaths and serious injuries through a collaborative combination of engineering, enforcement, education, and evaluation, with public engagement and other stakeholders.

SECTION 4. This Resolution shall take effect immediately upon its adoption.

3. Action Item

.4 DPW - Authorization of Hazard Mitigation Grant Program Application

WHEREAS, the New York State Division of Homeland Security and Emergency Services (DHSES) has announced the availability of Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) funds for Presidential Declaration: DR-4480 (COVID-19); and

WHEREAS, prioritization criteria for the award of the grant includes:
- projects that address climate change adaption and resiliency,
- projects that reduce risks associated with flooding,
- projects that protect and/or mitigate risk to critical infrastructure and utilities, and
- projects that are identified in a FEMA approved Hazard Mitigation Plan;

and

WHEREAS, the City of Ithaca completed a Local Flood Hazard Analysis (LFHA) in 2020, which identified flood risks from a 100-year (1% probability) event along with specific mitigation measures to reduce those flood risks; and

WHEREAS, the City of Ithaca recently adopted the FEMA approved Hazard Mitigation Plan update prepared by Tompkins County, which includes the mitigation measures identified in the LFHA; and

WHEREAS, FEMA recently issued draft flood maps for the City of Ithaca which are consistent with the flood risks identified in the LFHA, and will eventually replace the 1981 Flood Insurance Rate Maps (FIRMs), and show a significantly larger flood zone than the 1981 FIRMs which will greatly affect the number of properties requiring flood insurance; and

WHEREAS, the proposed mitigation measures will increase flow capacity for Fall, Cascadilla, and Six Mile Creeks, prevent backflow related flooding through the storm system, reduce flood risk for large portions of the City, and reduce the flood zones shown on the proposed FEMA maps; now therefore be it

RESOLVED, That the Mayor of the City of Ithaca, is hereby authorized and directed to submit an application in accordance with the provisions of the Hazard Mitigation Grant Program for Presidential Declaration DR-4480, in an amount not to exceed $12,000,000, and upon approval of said request to enter into and execute a project agreement for such financial assistance to the City of Ithaca for design, right-of-way acquisition, construction and construction inspection of a project as described above; and be it further

RESOLVED, That contingent upon award of the HMGP funds, the Common Council hereby authorizes the establishment of Capital Project #913 to pay in the first instance 100% of the federal and non-federal share of the cost of all work for the Project; and be it further
RESOLVED, That contingent upon award of the HMGP funds, the sum not to exceed $3,000,000 is hereby appropriated from serial bonds and made available to cover the cost of participation in the above Project in the first instance; and be it further

RESOLVED, That the total project cost shall not exceed $12,000,000 with the understanding that the breakdown of funds to be approximately $9,000,000 in HMGP funds, and $3,000,000 in City of Ithaca serial bond financing, to be administered by the Superintendent of Public Works; and be it further

RESOLVED, That in the event the full federal and non-federal share costs of the project exceed the amount appropriated above, the City of Ithaca Common Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDHSES 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 that the Superintendent of Public Works is hereby authorized to execute all certifications or reimbursement requests for HMGP funding on behalf of the City of Ithaca 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 all Project costs that are not so eligible; and be it further

RESOLVED, That this resolution shall take effect immediately.
MEMORANDUM

Date: March 23, 2022

To: Common Council

From: Michael Thorne, Superintendent of Public Works

Subject: HMGP Funding Commitment

Dear Council Members

The Department of Public Works issued a Local Flood Hazard Analysis (LFHA) in 2020 which identified significant flood risks in the City of Ithaca, as well as mitigation measures to eliminate those risks. Recently, FEMA issued draft regulatory flood maps to eventually replace the 1981 Flood Insurance Rate Maps (FIRMs) currently in effect, and the draft maps are consistent with the results of the LFHA. The new regulatory maps are expected to take effect within the next two years and will greatly increase flood insurance requirements for numerous residential and commercial properties that will now be included in the new flood zones. Attached is a figure showing the impact of the new FEMA maps.

The NYS Department of Homeland Security and Emergency Services (DHSES) has recently announced a Hazard Mitigation Grant Program (HMGP) to fund projects such as those mitigation measures identified in the LFHA. This grant provides 75% of project costs with a local share making up the remaining 25%. The project will consist of flood barriers, levee improvements, and related devices along Six Mile, Cascadilla, and Fall Creeks to increase the flow capacity of the creeks and prevent backflow into surrounding neighborhoods. The estimated cost for final design and construction is $12 million, of which $3 million would be through local funds.

Priorities for the HMGP funds include projects that address climate change adaption and resiliency, projects that reduce risks associated with flooding, projects that protect and/or mitigate risk to critical infrastructure and utilities, projects with a Benefit/Cost Ratio greater than 1, and projects that are identified in a FEMA approved Hazard Mitigation Plan. The proposed mitigation project meets all of these criteria and we believe the City will have a competitive grant application. DPW will also submit this project for the Building Resilient Infrastructure and Communities (BRIC) grant later this year as recommended by DHSES, in case the City is not awarded HMGP funds.

“An Equal Opportunity Employer with a commitment to workforce diversification.”
### 2022 Preliminary FEMA Flood Zone Boundaries Comparison with 1981 Approximate Boundaries, with Buildings, City of Ithaca, NY

#### Map Prepared by: Dept. of Planning, City of Ithaca, NY, February 2022

#### NY State Plane, Central GRS 80 Datum

**Data Source:** Tompkins County Digital Planimetric Map 1991-2021

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### Flood Zone Preliminary 2022

- **A**: Flood Zone A
- **AE**: Flood Zone AE

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### Flood Zone 1981

- **A**: Flood Zone A
- **AE**: Flood Zone AE

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### Legend

- **Bldgs included in 2022**
- **Bldgs included in 1981**
- **Border**

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*Map Source: FEMA, 2022, City of Ithaca Bldg Division, 2021*
3. Action Item
   .5 DPW - Authorization to Acquire Real Property for a Public Sidewalk Easement at 130 Cherry Street

WHEREAS, on April 23, 2019, and amended on July 23, 2019, the City of Ithaca Planning and Development Board declared itself the lead agency for environmental review of the project, 130 Cherry St—known as “Ithaca Arthaus”, and determined that the project would have no significant negative environmental impact; and

WHEREAS, on July 23, 2019, Planning and Development Board granted preliminary and final site plan approval with nine conditions, and one of them being “execution of an easement agreement between the City and the property owner for portions of the sidewalk on private property”; and

WHEREAS, in order to progress this easement agreement as approved, the City’s Attorney Office and Engineering Division produced the enclosed “Public Sidewalk Easement” agreement and map, as prepared by T.G. Miller P.C. dated September 16, 2021; and

WHEREAS, in accordance with City Charter §63, the Board of Public Works has the authorization to acquire property in the name of the City of Ithaca for public works purposes; now therefore be it

RESOLVED, that the Board of Public Works hereby determines that the abovementioned easement is required for public works purposes, namely transportation improvements; and be it further

RESOLVED, That the Mayor of the City of Ithaca or his/her/they designee is hereby authorized to formalize the acquisition and to execute any and all documents to obtain such property, following consultation with the City Attorney.
PUBLIC SIDEWALK EASEMENT

THIS EASEMENT AGREEMENT ("Agreement") is made as of this 15th day of June, 2020 by the CITY OF ITHACA, a New York municipality with offices at 108 East Green Street, Ithaca, New York ("City") and Owner Name Ithaca Arthaus LLC), with offices at Owner's Address 305 W. Commercial Street, Springfield MO 65803 ("Grantor").

WITNESSETH:

Whereas, Grantor is the fee owner of a parcel of land located at Property Address 130 cherry St. in the City of Ithaca, Tompkins County, New York, as more particularly described in the deed recorded in the Tompkins County Clerk's Office as Book, Page or Instrument number 472961-001 and also known as tax map parcel Tax map parcel # 77-4-3 ("Grantor's Parcel"); and

Whereas, in 2013, the City Common Council adopted Local Law 3-2013, which established a system for the City's repair or replacement of sidewalk and replaced the former policy of holding property owners responsible for repair and replacement of adjacent sidewalk; and

Whereas, typically, public sidewalk is located within the City's right of way affording the City the right to perform installation, repair and replacement without need for permission from the adjacent property owners; and

Whereas, here, certain portions of public sidewalk are located on Grantor's Property and the City wishes to incorporate such portions of sidewalk into the City's sidewalk system to repair and replace as part of the Sidewalk Improvement District and Grantor hereby wishes to grant and convey to the City a permanent easement for a public sidewalk over, across, and through portions of Grantor's Property, as depicted on Exhibit A attached (known as the "Easement Area Map") for the purpose of incorporation into the City's public sidewalk; and

Whereas, to the extent applicable to Grantor's Parcel, the City Planning Board typically requires projects undergoing site plan review to repair or construct sidewalk at the project's cost as a condition of site plan approval; and

Whereas, to the extent applicable to Grantor's Parcel and in instances where the City Engineering Department has determined that the City's replacement of sidewalk will result in grading and elevation discrepancies that may not match the existing level of Grantor's driveway, apron, private walk or other appurtenances, the City, at the City's cost, will build or mill the grade on Grantor's driveway, apron, stairs or private walk and Grantor shall indemnify the City for such work upon execution of this Agreement; and

NOW, in consideration of the covenants, conditions, and provisions contained herein, the parties, their successors and assigns, do hereby agree as follows:
1. Grantor hereby grants and conveys to the City a permanent easement for a public sidewalk over, across, and through the portion of Grantor’s Parcel labeled “Public Sidewalk Easement Area” as indicated in Exhibit A.

2. The City may install, repair, replace, improve, modify and maintain the easement area as shown in the attached and incorporated as Exhibit A. The City may enter upon sufficient land adjacent to the sidewalk work area for the purpose of exercising the rights and privileges granted herein.

3. Grantor agrees not to build or convey to others permission to build any structures or improvements on, over, across, in, through or under the above-described easement.

4. Grantor hereby irrevocably agrees (1) to obtain a street permit for any and all work (construction or repair) for which Grantor would have been required to obtain a street permit were the sidewalk located in the right of way; (2) to allow public access to and use of the sidewalk at all times as if it were located in the right of way; (3) to the applicability of all rules and laws as if the sidewalk were located in the right of way, including Grantor’s responsibility for duties described in Sec. C-73(E) of the City of Ithaca Charter, which include keeping the sidewalk free of snow, ice, and other obstructions; and (4) to allow the City of Ithaca unconditional access to the sidewalk for all applicable municipal purposes, including conducting maintenance and/or repair activities at any time. Such maintenance and/or repair activities may be undertaken by the City in accordance with Sec. C-73. The Grantor will retain all responsibilities borne by any owner abutting sidewalk in a Sidewalk Improvement District within the City, including responsibilities such as those described in Sec. C-73(B)(3) and C-73(B)(5).

5. Grantor agrees to perform the following work at the cost of the Grantor: Installation and construction of sidewalk as approved by the Planning Board and in accordance with City specifications for the street permit.

☒ If this box is checked, the following clause shall apply:

The parties hereby agree that such work shall not be included in the permanent easement granted by this agreement, and Grantor agrees to bear the sole responsibility and cost of maintenance, replacement, repair, and costs, damages or liabilities arising from the fixtures placed in the area not part of this permanent sidewalk easement.

☐ If this box is checked, the following clause shall apply:

For work completed by the City at Grantor’s cost, the City shall maintain records for its actual costs as to the work (including any engineering, construction, and inspection). Upon completion of the work, the City shall send an invoice or billing notice, and if unpaid, Grantor understands and agrees that the City may add the same to Grantor’s Property tax bill including any late fees or other accrued charges.
6. Grantor acknowledges and waives any right to just compensation in consideration of the benefits derived from said sidewalk replacement.

THIS AGREEMENT shall be binding upon, and inure to the benefit of, the respective heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, this Agreement has been duly executed by the parties hereto as of the day and year first above written.

GRANTOR

Rick Manzardo
Name: Authority Representative

Name:

CITY OF ITHACA

By

Svante Myrick, Mayor
Laura Lewis, Acting Mayor

STATE OF NEW YORK ()
COUNTY OF TOMPKINS ()

On this 17th day of June, 2020, before me, the undersigned, personally appears
Rick Manzardo, known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her/his capacity and that by her/his signature on the instrument, the individual or the person upon behalf of whom the individual acted, executed the instrument.

Julia Hocklander
NOTARY PUBLIC

STATE OF NEW YORK ()
COUNTY OF TOMPKINS ()

JULIA C. HOCKLANDER
Notary Public – Notary Seal
STATE OF MISSOURI
Greene County
My Commission Expires Apr. 22, 2023
Commission #19032713
120 Cherry Street

On this _____ day of ______________, 20__, before me, the undersigned, personally appears ____________________________________________, known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in her/his capacity and that by her/his signature on the instrument, the individual or the person upon behalf of whom the individual acted, executed the instrument.

______________________________
NOTARY PUBLIC

STATE OF NEW YORK          )
COUNTY OF TOMPKINS )ss:

On this _____ day of ______________, 20__ before me, the undersigned, personally appears SWANTE MYRICK, known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of whom the individual acted, executed the instrument as Mayor of the City of Ithaca.

______________________________
NOTARY PUBLIC
EASEMENT LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Ithaca, County of Tompkins, State of New York, being bounded and described as follows:

BEGINNING at a point in the southerly line of Ithaca Arthaus, LLC (2019-06068, said point being located South 87° 39' 58" West 9.24 feet from the southeast corner of lands of Ithaca Arthaus, LLC;

RUNNING THENCE South 87° 39' 58" West along the southerly line of Ithaca Arthaus, LLC for a distance of 6.41 feet to a point;

RUNNING THENCE North 12° 19' 58" East through the lands of Ithaca Arthaus, LLC for a distance of 228.57 feet to a point located in the northerly line of Ithaca Arthaus, LLC;

RUNNING THENCE South 77° 39' 23" East along the northerly line of Ithaca Arthaus, LLC for a distance of 6.20 feet to a point;

RUNNING THENCE South 12° 19' 58" West through the lands of Ithaca Arthaus, LLC a distance of 226.94 feet to the point and place of BEGINNING.

For a more particular description reference is hereby made to a map entitled “Easement Map Showing Sidewalk Easement to be Granted by Ithaca Arthaus, LLC to The City of Ithaca…” dated September 16, 2021 by T.G. Miller P.C.
3. **Action Item**

**6 Hangar Theatre Company Request for Study and Insurance**

WHEREAS, the City and the Hangar Theatre Company have an agreement that the City will maintain the property around the theatre and the Hangar Theatre Company maintains the interior; and

WHEREAS, the Hangar Theatre Company continues to flood on a regular basis; and

WHEREAS, the City staff has done significant research on the property and held several meetings regarding the property; and

WHEREAS, City staff have determined that an engineering study can be performed with an estimated cost of no more than $30,000 to assess the flood possibilities for the Hangar Theatre property and building; now, therefore be it

**RESOLVED,** That the City of Ithaca fully fund an engineering study to assess flood mitigation opportunities for an amount not to exceed $30,000 with the funds being derived from Capital Project #875 Assessment of Cass Park Fields and Buildings, and be it further

**RESOLVED,** That the Hangar Theater Company will assist in raising funds for flood mitigation efforts revealed by the engineering study and will make decisions in partnership with the City of Ithaca, and be it further

**RESOLVED,** That the City of Ithaca shall add the cost of flood insurance, currently estimated at $5,800 annually, to the Hangar Theatre building until the completion of the study to determine what can be done to prevent the further flooding of the property and the building, and be it further

**RESOLVED,** The Hangar Theatre Company respectfully requests the following of City of Ithaca:

1) Fully fund an engineering study to assess flood mitigation opportunities
2) Carry flood insurance on the hangar building including premium and deductible
3) Support Hangar Theatre in finding a new location should the results of the engineering study indicate that continuing to use the building as a theatre over the long term prove unfeasible

The Hangar Theatre will:

1) Work with the City to raise funds for feasible flood mitigation efforts revealed by the engineering study and make decisions in partnership with the City;
2) Continue to make investments in the building to minimize damage from floods and take the lead on clean up and reporting to insurance when the theatre floods;
3) Continue to support efforts by the Ithaca Landmarks Preservation Commission to get on the historic register;
4) Supply the City with records and information about the historic hangar building and its significance in our community.
3. **Action Item**

.7 Release of Southside Community Center Funded in 2022 Budget

WHEREAS, the Common Council included within the 2022 budget funding in restricted contingency $200,000 for Southside Community Center which the City has been previously funded by the City; now, therefore be it

RESOLVED, That said $200,000 in Southside Community funding be hereby released from Account A1990 Restricted Contingency to Account A1016-5435 Southside Contracts, after execution of an MOU “substantially similar to the previous City-Southside MOU”.


3. Action Item
.8 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, Common Council asked for all new non-profits to fill out a form to be turned into the Controller no later than April 15, 2022; 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 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, a brief financial form to be filled out as they have previously for other organizations receiving City or County funding, turning the form into the Controller’s Office by April 15, 2022, and the controller will 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 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 other non-profit and city organizations 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.
WHEREAS, during the early months of 2020 the City suffered a steep drop in revenue and dire financial projections due to the onset of the COVID-19 pandemic (the “Emergency”); and

WHEREAS, the Emergency required the City to implement immediate and sustainable cost reductions; and

WHEREAS, prior to the Emergency, the City had been seeking, through collective bargaining and voluntary employee elections, to implement the Platinum Health Insurance Plan (the “Platinum Plan”) offered by the Greater Tompkins County Health Insurance Consortium (the “Consortium”), which offers coverage comparable to the Classic Blue Indemnity Plan (the “Indemnity Plan”) at materially reduced cost to the City and most employees, as the default plan for City employees; and

WHEREAS, on April 29, 2020, as part of the response to the Emergency, Common Council resolved to establish the Platinum Plan as the default health insurance plan for the City’s managerial and confidential employees as collective bargaining for these groups is, by definition, not required to do so (the “Platinum Savings Resolution”); and

WHEREAS, the Platinum Savings resolution allowed managerial and confidential employees then enrolled in the Indemnity Plan to retain such enrollment, provided that the City’s contribution to the premium equivalent for such coverage would not exceed 80% of the premium equivalent for the Platinum Plan, with the employee required to pay the remainder; and

WHEREAS, since the time of the Platinum Savings Resolution, the Platinum Plan has obtained greater acceptance among City employees, with two of the City’s largest collective bargaining units, the CSEA Administrative Unit and the Ithaca Police Benevolent Association, agreeing to collective bargaining agreements establishing the Platinum Plan as the default health insurance plan for employees, with an option to remain in the Indemnity Plan at an increased employee contribution rate by limiting the City’s contribution for such coverage to 80% of the premium equivalent for the Platinum Plan; and

WHEREAS, it has been the consistent policy of the City that an employee who is retiring and desires to retain health insurance provided by the City in retirement would continue under the plan in which the employee is enrolled at the time of retirement, at a retiree contribution rate established by Common Council; and

WHEREAS, on September 1, 2021, the Common Council approved an updated Summary of Fringe Benefits for Managerial Personnel (the “Summary”), without negotiation for the reasons stated above; and
WHEREAS, Section 10 of the Summary provides that for so long as the Consortium offers the existing 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 the shift to the Platinum Plan as the default health insurance plan 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, Common 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 Transitional Rules for Health Insurance Plan Selection for Active Managerial and Confidential Employees, and for Those Retiring through 2023 (the “Transitional Rules”), a copy of which is attached hereto; now, therefore, be it

RESOLVED, That the Transitional Rules shall take effect immediately, and, be it further

RESOLVED, That to the extent there exists any conflict between the terms of this Resolution and the attached Transitional Rules, on the one hand, and the Platinum Savings Resolution, on the other, the terms of this Resolution and the attached Transitional Rules shall prevail, and, be it further

RESOLVED, That confidential employee compensation, fringe benefits, and terms and conditions of employment shall, in all respects not addressed by this resolution, continue to be indexed now and in the future to the provisions of the negotiated collective bargaining agreements of the CSEA Administrative Unit, as has long been the City’s practice.
These Transitional Rules for managerial and confidential employees were approved by resolution of the City of Ithaca Common Council on [date].

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.

Confidential employees possess the same health insurance choices and costs as recited above due to an April 29, 2020, resolution of the Common Council and the subsequent resolution of August 4, 2021, approving a new labor contract for the CSEA-Admin bargaining unit and applying the salary increases and fringe benefits set forth therein to confidential employees. These Transitional Rules (i.e., this entire document) explicitly supersede both of those resolutions to extent of any conflict with them.

Employees have raised questions about: (1) how the shift to the Platinum Plan as the default health insurance plan 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:

1. The Platinum Plan is now the default plan the City offers to employees. Section 10 of the Summary (and parallel provisions for confidential employees), which allows an employee to retain the Indemnity Plan, to the extent offered by the Consortium, and at an additional

1 These rules do not apply to employees in any of the City’s bargaining units. The health plan elections available to bargaining unit employees are determined with reference to the applicable collective bargaining agreement.

2References to “employee” and “employees” in these Transitional Rules are to managerial and confidential employees of the City.
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:

   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: City Administration Committee

From: Julie Conley Holcomb, City Clerk

Date: March 11, 2022

Subj: Taxicab Legislation

I recently had an opportunity to reach out to the owners of Ithaca Dispatch and Collegetown Cabs to discuss the current taxicab fare structure. The conversation highlighted some of the issues that have recently had a crippling impact on their businesses including the loss of fares due to the pandemic, the difficulty in hiring drivers, and the significant increase in the cost of fuel.

I have included their requests for the deregulation of fares on either a temporary or permanent basis. I have also asked the Ithaca Police Department to provide their thoughts on this issue and will provide that information to you prior to your meeting.

I would like to request time on your March 26, 2022, agenda to discuss this topic and determine a recommendation to put forth for the April 6, 2022, Common Council agenda as an immediate form of relief is necessary.

This legislation is complex, and many Common Council members have not yet been exposed to it. I would be happy to speak with anyone in advance of the meeting to answer your questions and provide a historical background regarding the levels of collaboration that the City has developed with the local taxicab industry.

Thank you for your consideration.
To Whom it May Concern,

We wanted to recommend to the council a change in the existing rules governing taxicabs in the city and town of Ithaca. Competitive market forces are strong enough, and input costs such as fuel are volatile enough, that it makes the most sense to deregulate all taxi fares, and probably deregulate the industry as a whole.

Cortland fully deregulated taxis in April 2019 when they realized cities with populations under 100,000 people cannot regulate Uber and Lyft. They did so recognizing it was the fair thing to do in the interest of trying to keep a level playing field. Elmira, Binghamton, and Corning have all regulated cab fares at some point in the past, and now Elmira and Binghamton allow operators to set their own rates with notifications to an oversight agency, and Corning removed all fare regulation in 2011.

The Tompkins County industry standard is to quote rates ahead of trips, so the public is protected from being surprised by a high price at the end of a ride. Therefore, reporting rates to an oversight agency does not make a lot of sense when the agency can check online or via phone for a current rate. Customer demand in the marketplace is a good arbiter of fares, and because of competition from Uber and Lyft, the public is enjoying some of the lowest rates relative to inflation in the past 11 years. There are not many examples in America where private companies at risk of insolvency and losing their workforce are forced to abide by suppressed rates they can charge the public.

Regarding the rest of the regulation in the industry, insurance providers and the DMV effectively play the role of regulator. Private insurance companies are more strict on drivers than at any other time in history, and the New York State Insurance fund (insurer of last resort) charges so much for bad drivers they effectively disqualify them. With modern safety and quality standards in automobile production, annual NYS vehicle inspections are enough to ensure the average cab is safe to operate on public roads.

If you did want some regulation, I would propose the following: 1) Make companies perform an online-approved background check. This is adequate to filter out drivers who might possibly endanger the public. However, there should be some type of appeal process for potential drivers who don’t qualify.

2) Stipulate operators must provide evidence of an auto repair bay they own or control capable of fixing the cars in their fleet. Most operators will fix their cars quickly due to the natural forces of drivers not wanting to drive, and customers not wanting to ride in damaged vehicles. So vehicle maintenance has a way of taking care of itself, but this would ensure a high likelihood vehicles are kept safe.

The cab industry in Tompkins County is competitive enough and regulated enough by forces within the industry that it should endure mostly the same regulation as other retail businesses. If Uber and Lyft successfully put all other operators out of business and monopolize the market, or competition dries up for another reason, it will make sense to revisit taxi regulation to protect the public. We recommend deregulating taxi fares as the top priority if no other steps towards deregulating the taxi market are taken as a result of this proposal. However, the nearly full deregulation as proposed makes the most sense given the realities of the industry.

Thank you.

Sincerely, Paul Kriegstein
To: Members of City of Ithaca Common Council

I support Paul Kriegstein's proposal to suspend the rate clause, (232.70) in the City of Ithaca Taxi Ordinance. I believe the suspension of 32.70 for a temporary period would best serve the public interest during the present inflationary period.

Our taxicab companies are providing an essential service, conveying the public to medical appointments, supermarkets, and to places where various government and social services are dispensed. My company, Ithaca Dispatch, has been in business since 1996 and Paul’s has been operating for 12 years. Just yesterday, the combined trip count for our taxicab companies was just shy of 400. Pre-Covid, the combined trip count would have been 650+.

Three factors have recently emerged that together are causing our companies to operate at a loss. First, demand for our service has been depressed by 25%+ during the Covid Pandemic. The public's fear of being exposed to the virus while occupying a small, enclosed space inside a taxicab is understandable despite the taxicab companies’ vigorous sanitation efforts. Second, inflation, especially in the cost of gasoline, our second largest expense after payroll, has been increasing, with huge spikes happening during the past few weeks as a result of the war in Ukraine. The media is reporting that the price of gasoline at the pump will soon surpass $5.00 per gallon. And third, the good news that the Pandemic is receding isn’t news that is good as it could be for Ithaca Dispatch and Collegetown Cabs because while demand is increasing steadily, we are presently encountering unexpected difficulty hiring drivers to replace the 30% who were either laid off or left. Hence, our companies are severely under staffed and unable to fully satisfy the rebound in demand. A Covid free business environment may be just around the corner but the taxicab companies' finances may not return to profitability for the reasons described herein. The collective effect of the above three emergent factors is that our taxicab companies' earnings dipped into and remain in the red and the losses are unsustainable.

Decrease in demand due to the Pandemic, resulting in diminishing gross revenue, accompanied by unprecedented price inflation of gasoline and other costs of doing business and a failure of our taxicab companies’ capability to satisfy the rebounding demand due to a severe labor shortage while having to comply with statutory fares fixed prior to the Pandemic is the perfect storm that threatens to sink Ithaca's taxicab companies. Uber and Lyft contract drivers are too few and they, too, are experiencing the same problems as the taxicab companies. They are unable to fill the void in service should Ithaca Dispatch and Collegetown Cabs become insolvent. And I am sure you are all aware that TCAT is severely handicapped by a shortage of bus drivers despite a vigorous recruiting campaign.

Business survival during this wild and crazy inflationary time requires taxi operators to have the freedom to react quickly to market forces affecting their bottom line. Paul and I believe that by temporarily suspending clause 32.70 Council will act in the best interest of the taxi companies and Ithaca’s residents, many of whom rely on taxicabs to access essential services.

John Kadar