COMMON COUNCIL
AGENDA ITEMS

Date: 04-06-2022
Time: 6:00 PM
Location: YouTube
https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg

CALL TO ORDER
1.1 Additions to or Deletions from the Agenda No Acting Mayor 5 Mins
1.2 Proclamations/Awards No Lewis 5 Mins
1.3 Reports of Municipal Officials No 10 Mins
1.4 City Cemetery Arboretum Designation Presentation No City Forester Grace 10 Mins

2.1 Petitions and Hearings of Persons before Council No *Note: See instructions on page 3 of the agenda.
2.2 Privilege of the Floor – Mayor and Council No 40 Mins

2.3 Discussion of the Reimagining Public Safety Working Group Report No Common Council 30 Mins

CONSENT AGENDA
3.1 Youth Bureau - Amendment to the 2022 Roster & Budget Yes Common Council 5 Mins
3.2 Approval of Recreation Partnership Agreement
3.3 PIT - Amendment to Personnel Roster – Event Permit Specialist
3.4 DPW - Authorization to Acquire Real Property for a Public Sidewalk Easement at 130 Cherry Street
3.5 Common Council - Release of Southside Community Center Funded in 2022 Budget
3.6 Common Council - Authorization of Transitional Rules for Health Insurance Plan Selection for Active Managerial and Confidential Employees and for Those Who Retire Through 2023
3.7 Approval of Outdoor Dining Alcohol Permits
<table>
<thead>
<tr>
<th>Item</th>
<th>Voting Item</th>
<th>Presenter(s)</th>
<th>Time Allotted</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CITY ADMINISTRATION COMMITTEE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.1 DPW - Request to Increase Authorization of CP 869 College Avenue</td>
<td>Yes</td>
<td>Director of Engineering</td>
<td>10 Mins</td>
</tr>
<tr>
<td>Reconstruction and Award Contract for Construction</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.2 DPW - Amendment to Capital Project 733 for Cass Park Rink</td>
<td>Yes</td>
<td>Director of Engineering</td>
<td>10 Mins</td>
</tr>
<tr>
<td>Enclosure</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.3 DPW - Support of State Legislation to Allow the Reduction of the</td>
<td>Yes</td>
<td>Director of Parking &amp;</td>
<td>15 Mins</td>
</tr>
<tr>
<td>City-Wide Default Speed Limit From 30 Miles Per Hour to 20 Miles</td>
<td></td>
<td>Transportation</td>
<td></td>
</tr>
<tr>
<td>Per Hour</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.4 DPW - Authorization of Hazard Mitigation Grant Program Application</td>
<td>Yes</td>
<td>Superintendent of Public</td>
<td>10 Mins</td>
</tr>
<tr>
<td>Works</td>
<td></td>
<td>Works</td>
<td></td>
</tr>
<tr>
<td>4.5 Common Council - Hangar Theatre Company Request for Study and</td>
<td>Yes</td>
<td>Staff</td>
<td>10 Mins</td>
</tr>
<tr>
<td>Insurance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.6 MOU’s for Outside Organizations Funded in 2022 Budget</td>
<td>Yes</td>
<td>Staff</td>
<td>10 Mins</td>
</tr>
<tr>
<td>4.7 Report of the City Controller</td>
<td>No</td>
<td>City Controller Thayer</td>
<td>10 Mins</td>
</tr>
<tr>
<td><strong>PLANNING &amp; ECONOMIC DEVELOPMENT COMMITTEE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.1 An Ordinance to Amend Chapter 258 of the City of Ithaca</td>
<td>Yes</td>
<td>Alderperson Mehler</td>
<td>10 Mins</td>
</tr>
<tr>
<td>Municipal Code Entitled “Rental Housing” Regarding Notification of</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tenants</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Declaration of Lead Agency</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Declaration of Environmental Significance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Ordinance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.2 Acceptance of the Definition of “Climate Justice Community”</td>
<td>Yes</td>
<td>Director of Sustainability</td>
<td>10 Mins</td>
</tr>
<tr>
<td><strong>INDIVIDUAL MEMBER FILED RESOLUTIONS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.1 Naming of the Kirby Edmonds Bridge</td>
<td>Yes</td>
<td>Acting Mayor Lewis</td>
<td>5 Mins</td>
</tr>
<tr>
<td>6.2 Commitment to the “Stretch to Zero Pilot Program”</td>
<td>Yes</td>
<td>Alderperson Cantelmo</td>
<td>5 Mins</td>
</tr>
<tr>
<td><strong>APPOINTMENTS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.1 Appointments to the Local Assessment Review Board</td>
<td>Yes</td>
<td>Common Council</td>
<td>5 Mins</td>
</tr>
<tr>
<td>7.2 Appointment to the Board of Zoning Appeals</td>
<td>Yes</td>
<td>Acting Mayor Lewis</td>
<td>5 Mins</td>
</tr>
</tbody>
</table>
How to Participate in Public Comment Virtually

Email Common Council Through the Agenda Link
Written comments can be submitted to Common Council using this form: Common Council Public Comment Form. Comments should be submitted no later than 5:00 pm on the day of the meeting. These comments will not be read into the record but will be included as an attachment to the meeting minutes. Any comments received after 5:00 pm will be saved for the next meeting.

Register to Speak at the Meeting Via Zoom
At 9:00 am on the day of the Common Council meeting, a link will be opened on the Common Council webpage for people to register to speak at the beginning of the meeting. The first hour of the meeting will be dedicated to public speaking. Registration will close at 3:00 pm in order to allow time to calculate how long each person will be allowed to speak. If you register, you will be emailed the Zoom link later that day. Use that link to sign in and enter the Zoom meeting. You will be selected to speak in the order that you were registered. You must be present in the meeting when it is your turn to speak, or you will forfeit your time. You can use video or telephone to participate.

Questions about the meeting protocol can be forwarded to City Clerk Julie Conley Holcomb at (607) 274-6570 or jholcomb@cityofithaca.org in advance of the meeting.
CONSENT AGENDA:
CITY ADMINISTRATION COMMITTEE:
3.1 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); 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)
3.2 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.
3.3 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
3.4 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 Street 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 Common Council 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 (LLC/INC/Estate/ETC), 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 City or 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: Authorized Representative

CITY OF ITHACA

By

Svante Myrick, Mayor
Laura Lewis, Acting Mayor

STATE OF NEW YORK )
COUNTY OF TOMPKINS )ss:

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 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.

Julia Hocklander
NOTARY PUBLIC

STATE OF NEW YORK )
COUNTY OF TOMPKINS )ss:
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 Ncrth 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.
EXHIBIT A

PUBLIC SIDEWALK EASEMENT AREA

PROPOSED SIDEWALK EASEMENT TO BE GRANTED BY ITHACA ARTHAUS, LLC
TO THE CITY OF ITHACA
AREA = 1,412 SQ. FT.

T. G. MILLER P.C.
ENGINEERS AND SURVEYORS
605 WEST STATE STREET, SUITE A
ITHACA, NEW YORK 14851
PHONE (607) 273-4477

DATE: 9/16/2021

TITLE: EASEMENT MAP
SHOWING SIDEWALK EASEMENT TO BE GRANTED BY
ITHACA ARTHAUS, LLC
TO
THE CITY OF ITHACA
LOCATED AT NO. 130 CHERRY STREET
CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK

DATA GRAPHIC SCALE

0 20 40 60

STATE OF NEW YORK
LICENSED LAND SURVEYOR
21-420

SCALE: 1" = 20'
3.5 Common Council - 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 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”.
3.6 Common Council - Authorization of Transitional Rules for Health Insurance Plan Selection for Active Managerial and Confidential Employees and for Those Who Retire Through 2023

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.
CITY OF ITHACA

TRANSITIONAL RULES FOR HEALTH INSURANCE PLAN
SELECTION FOR ACTIVE MANAGERIAL AND CONFIDENTIAL
EMPLOYEES, AND FOR THOSE WHO RETIRE THROUGH 2023

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.

2 References 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.
WHEREAS, several downtown restaurants have requested permission to utilize certain areas along the Primary and Secondary Commons and sidewalks in the downtown core for outdoor dining, and

WHEREAS, the Downtown Ithaca Alliance has requested permission for wine, beer, and hard cider tasting and sales as part of their special events for 2022, and

WHEREAS, it is Common Council's responsibility to determine whether or not to allow the serving and consumption of alcohol on City property, and

WHEREAS, Common Council has determined that the use of public property for outdoor dining and special events including the responsible sale and consumption of alcohol, plays an important role in the vibrancy of the downtown business district, and

WHEREAS, Common Council has determined that any use of this or similar public property involving the sale and consumption of alcohol should be covered by a minimum of $1,000,000 insurance under the Dram Shop Act; now, therefore be it

RESOLVED, For the year 2022, Common Council hereby approves revocable alcoholic beverage permits for Mia’s Tapas Bar & Restaurant, Collegetown Bagels, Viva Taqueria, Luna, and Revelry for the outdoor sale and consumption of alcohol in accord with the terms and conditions set forth in their applications, including minimum Dram Shop coverage in the amount of $1,000,000 and the approval of an outdoor dining permit.
CITY ADMINISTRATION COMMITTEE:
4.1 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 be it 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.
4.2 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.

"An Equal Opportunity Employer with a commitment to workforce diversification."
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), and

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 1007 which is the same as Senate bill 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 Kelles 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
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 Kruppa, 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.

4.4 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 adaptation 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 Source: Tompkins County Digital Planimetric Map 1991-2021
Data Source: FEMA, 2022, City of Ithaca Bldg Division, 2021
Map Prepared by: Dept. of Planning, City of Ithaca, NY, February 2022
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.
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.
PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE:
5.1 An Ordinance to Amend Chapter 258 of the City of Ithaca Municipal Code Entitled “Rental Housing” Regarding Notification of Tenants

A. Declaration of Lead Agency

WHEREAS, State Law and Section 176-6 of the City Code 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, the proposed zoning amendment is an “Unlisted” Action pursuant to the City Environmental Quality Review (CEQR) Ordinance, which requires environmental review under CEQR; now, therefore, be it

RESOLVED, That the Common Council of the City of Ithaca does hereby declare itself lead agency for the environmental review of the proposal to amend Chapter 258 of the City of Ithaca Municipal Code Entitled “Rental Housing” regarding Notification of Tenants.

B. Declaration of Environmental Significance

WHEREAS, The Common Council is considering a proposal to amend Chapter 258 of the City of Ithaca Municipal Code Entitled “Rental Housing” regarding Notification of Tenants, and

WHEREAS, the appropriate environmental review has been conducted, including the preparation of a Short Environmental Assessment Form (SEAF), dated March 9, 2022, and

WHEREAS, the proposed action is an “Unlisted” Action under the City Environmental Quality Review Ordinance, and

WHEREAS, the Common Council of the City of Ithaca, acting as lead agency, has reviewed the SEAF prepared by planning staff; now, therefore, be it

RESOLVED, That this Common Council, as lead agency in this matter, hereby adopts as its own the findings and conclusions more fully set forth on the Short Environmental Assessment Form, dated March 9, 2022, and be it further

RESOLVED, That this Common Council, as lead agency in this matter, hereby determines that the proposed action at issue will not have a significant effect on the environment, and that further environmental review is unnecessary, and be it further

RESOLVED, That this resolution constitutes notice of this negative declaration and that the City Clerk is hereby directed to file a copy of the same, together with any attachments, in the City Clerk’s Office, and forward the same to any other parties as required by law.
Ordinance No. 2021-

Ordinance to Amend Chapter 258 (Rental Housing) of Part II (General Legislation) of the Code of the City of Ithaca in Relation to Notification of Tenants

WHEREAS, the City of Ithaca has a substantial renter population, with 74%\(^1\) of Ithaca’s 32,108\(^2\) residents renting; and

WHEREAS, by providing a 180-120-day waiting period before receiving an opportunity to renew a lease, a tenant will have had ample and appropriate time to decide on whether to negotiate to renew as well as landlords will have more opportunity to rent to tenants attending Cornell University; and

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

Section 1. Chapter 258 (Rental Housing) of Part II (General Legislation) of the Code of the City of Ithaca, Section 258-10 is hereby amended as follows:

(...)

§ 258-10 Renewal of rental agreements; notification to tenants.

A. The landlord shall provide a minimum of 60-120 days’ written notice to current tenants of a residential unit before doing any of the following:

1. Renewing the current rental agreement
2. Showing the residential unit to prospective new tenants or otherwise suggesting to prospective tenants that the unit is currently available for rent
3. Entering into a rental agreement with new tenants

B. Such written notice may be provided at any time during the rental agreement period, from the effective date onwards. This provision of notice shall not apply under any of the following conditions:

1. The current rental agreement period is less than nine months.
2. A summons and complaint to recover possession of the premises has been filed and served on the current tenant in accordance with all applicable laws and rules.
3. The landlord and tenant mutually agree, in writing, to waive the notice period by specifically including the following language bolded and explicitly visible on the first page of the contract:
   “As per Chapter 258-10(A) of the City of Ithaca City Code, landlords shall provide a minimum 120 days’ written notice to current tenants of a residential unit before doing any of the follow:
   1. Renewing the current rental agreement

\(^1\) http://www.cityofithaca.org/DocumentCenter/View/10148/2019-2023-Consolidated-Plan?bidId=
\(^2\) https://www.census.gov/quickfacts/ithacacitynewyork
2. Showing the residential unit to prospective new tenants or otherwise suggesting to prospective new tenants or otherwise suggesting to prospective tenants that the unit available for rent
3. Entering into a rental agreement with new tenants

By initialing here ____., I fully understand and willingly waive my rights to 120 days’ written notice in advance of the above.”

(...)

Section 2. This ordinance shall take effect on February 3, 2022 May 31, 2022 after publication of this ordinance pursuant to the City Charter.
At the March 16, 2022 meeting, the Planning & Development Committee will consider an amendment to §258 -10 - (Rental Housing, Renewal of Rental Agreements; Notification to Tenants) of the City Code. Please find attached the proposed amendment with tracked changes, for your consideration.

The Committee has deliberated on the proposed amendment since December 2021. The proposal has been circulated for comment twice and public hearings have been held at the January and February Committee meetings.
To: Common Council  
From: Lisa Nicholas, Acting Director of Planning and Development on Behalf of Alderperson Cynthia Brock and Chairperson Laura Lewis  
Date: March 24 2022  
RE: Proposal: Amendment to §258 -10 - Tenant Notification  

At their March 16, 2022 meeting, the Planning & Economic Development Committee considered an amendment to §258 -10 - (Rental Housing, Renewal of Rental Agreements; Notification to Tenants) of the City Code. The Committee deliberated on the proposed amendment since December 2021, circulated the proposal for comment twice and held public hearings at the January and February Committee meetings.

The amendment increases the amount time from 60 to 120 days for a landlord to provide written notice to current tenants before doing any of the following:

1. Renewing the current rental agreement  
2. Showing the residential unit to prospective new tenants or otherwise suggesting to prospective tenants that the unit is currently available for rent  
3. Entering into a rental agreement with new tenants  

The Committee voted unanimously to pass the amendment. Please find the following attached for your consideration:

- Proposed Ordinance to Amend Chapter 258 (Rental Housing) of Part II (General Legislation) of the Code of the City of Ithaca in Relation to Notification of Tenants  
- Negative Declaration (SEAF Forms Parts 1-3, Lead Agency Declaration n& Negative Determination of Environmental Significance)

Note that this action is not subject referral under to General Municipal Law §GML 239 -l, m & n and therefore no County recommendation is included in these materials.
Short Environmental Assessment Form
Part I - Project Information

Instructions for Completing

Part I – 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>Part 1 – Project and Sponsor Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name of Action or Project:</strong> Amend the Municipal Code of the City Of Ithaca, Chapter 258, (Rental Housing) of Part II (General Legislation) in Relation to Tenant Notification</td>
</tr>
<tr>
<td><strong>Project Location (describe, and attach a location map):</strong></td>
</tr>
<tr>
<td>The amendment applies to all rental properties in the City</td>
</tr>
<tr>
<td><strong>Brief Description of Proposed Action:</strong> The amendment increases the waiting period from 60 to 120 days before a tenant will have an opportunity to renew a lease.</td>
</tr>
</tbody>
</table>

| Name of Applicant or Sponsor: City of Ithaca | Telephone: 607-274-6550 |
| E-Mail: lnicholas@cityofithaca.org |
| Address: 108 E Green St |
| City/PO: Ithaca | State: NY | Zip Code: 14850 |

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.

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:

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

4. **Check all land uses that occur on, are adjoining or near the proposed action:**
   - [ ] Urban
   - [ ] Rural (non-agriculture)
   - [ ] Industrial
   - [ ] Commercial
   - [ ] Residential (suburban)
   - [ ] Forest
   - [ ] Agriculture
   - [ ] Aquatic
   - [ ] Other(Specify):
   - [ ] Parkland
5. Is the proposed action,  
   a. A permitted use under the zoning regulations?  
      | NO | YES | N/A |
   b. Consistent with the adopted comprehensive plan?  
      | NO | YES | N/A |

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  
   | NO | YES |

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   If Yes, identify: ________________________________________________________________________________  
   | NO | YES |

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?  
   | NO | YES |

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:  
   ______________________________________________________________________________________________  
   ______________________________________________________________________________________________  
   | NO | YES |

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

11. Will the proposed action connect to existing wastewater utilities?  
    If No, describe method for providing wastewater treatment: _________________________________________  
    | NO | YES |

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?  
    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?  
    | NO | YES |

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:  
    ______________________________________________________________________________________________  
    ______________________________________________________________________________________________  
    | NO | YES |
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
- [ ] Urban
- [ ] 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?

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

17. Will the proposed action create storm water discharge, either from point or non-point sources?
   - [ ] NO
   - [ ] YES
   If Yes, briefly describe:

   a. Will storm water discharges flow to adjacent properties?
   - [ ] NO
   - [ ] YES
   b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?
   - [ ] NO
   - [ ] YES

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)?
   - [ ] NO
   - [ ] 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?
   - [ ] NO
   - [ ] 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?
   - [ ] NO
   - [ ] YES
   If Yes, describe:

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

Applicant/sponsor/name: City of Ithaca

Signature:_________________________________________________________ Date: 03/09/22

Title:_____________________________________________________________
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>No, 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>✔</td>
<td></td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>✔</td>
<td></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>✔</td>
<td></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>✔</td>
<td></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>✔</td>
<td></td>
</tr>
<tr>
<td>7. Will the proposed action impact existing: a. public / private water supplies?</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>✔</td>
<td></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>✔</td>
<td></td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>✔</td>
<td></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.

The amendment will affect notification requirements for landlords and tenants. It will have no physical impact and therefore no environmental impact.
5.2 Acceptance of the Definition of “Climate Justice Community”

WHEREAS, the City of Ithaca has demonstrated its desire and commitment to be a leader in sustainability and social equity, as exemplified by the adoption of the Ithaca Green New Deal, and

WHEREAS, the City of Ithaca has further demonstrated its commitment to social and racial equity and sustainability, as exemplified in the City of Ithaca Comprehensive Plan, Plan Ithaca and the City’s 2017 Assessment of Fair Housing, and

WHEREAS, to fulfill the social equity ambitions of the IGND, a transformative effort must be made to prioritize populations that are and have been historically marginalized, and

WHEREAS, current and historic marginalization can manifest in ways that are not well-represented solely by income, and

WHEREAS, establishing an explicit definition for Climate Justice Community will shape future IGND programming in a way that ensures benefits of the IGND are distributed in ways that reduce historic inequities, and

WHEREAS, the effects of climate change may combine with other stressors such as marginalization, inequality and social injustice, becoming a threat multiplier and disproportionately affecting vulnerable population groups, and

WHEREAS, as a result of the pandemic and the economic downturn some vulnerable populations may be more likely to be affected by the consequences of climate change, and

WHEREAS, prioritizing vulnerable populations and designating them “Climate Justice Communities” in program planning will result in a more just and resilient Ithaca for all residents, and

WHEREAS, prioritizing vulnerable populations and designating them as “Climate Justice Communities” may result in a more equitable distribution of the economic, social and environmental benefits of the IGND among all residents, and

WHEREAS, the U.S. EPA defines Environmental Justice as, “The fair treatment and meaningful involvement of all people regardless of race, color, culture, national origin, income and educational levels with respect to the development, implementation, and enforcement of protective environmental laws, regulations, and policies.”, and

WHEREAS, the Center for American Progress has provided guidance on implementing the federal Justice 40 program under President Joe Biden, which seeks to advance environmental justice and economic opportunity across the United States, and

WHEREAS, in 2019 the State of New York signed the Climate Leadership and Community Protection Act (Climate Act), which committed New York State to reduce greenhouse gas emissions by 40% by 2030 and at least 85% by 2050, and
WHEREAS, the Climate Act created the New York State Climate Action Council to prepare a Scoping Plan to achieve the State’s bold clean energy and climate agenda, and

WHEREAS, the Climate Action Council appointed a Just Transition Working Group to make recommendations to ensure benefits of the State climate agenda are shared equally among all New Yorkers, and

WHEREAS, the Just Transition Working Group defines Disadvantaged Communities as, “communities that bear burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households”, and

WHEREAS, in 2021, the state of Massachusetts set a precedent of law codification by adopting an extended and more appropriate definition of Environmental Justice Communities that more accurately represents the vulnerable populations in the state of Massachusetts; now, therefore be it

RESOLVED, That the City of Ithaca officially accepts the following definition of a Climate Justice Community:

**Climate Justice Communities** are communities, including but not limited to individual households, that bear unfair and disproportionate burden of the negative impacts of climate change; are least able to prepare, withstand and recover from the effects of climate change; possess certain health, environmental and socioeconomic attributes; include disproportionate concentrations of low- and moderate-income households; or are associated with other present or historical social factors that act as threat multipliers on a warming planet with limited resources.

The establishment of Climate Justice Community criteria is critical to ensure that “the benefits of the Ithaca Green New Deal are shared among all of our local communities to reduce historical social and economic inequities”, as described in the Ithaca Green New Deal Resolution adopted in 2019.

For a household to be considered a Climate Justice Community in the City of Ithaca, it needs to meet at least two of the following criteria:

- Residents are experiencing homelessness or are adjacent to homeless encampments
- Residents and/or their children are eligible for needs-based local, state, or federal financial assistance
- Residents lack English language proficiency
- The population is a racial minority
- Residents 25 years of age or older do not possess a high school diploma or GED
- Residents experience food insecurity or low child nutrition levels
- Residents make less than 65% of the County’s median annual income
- Residents are isolated due to age or disability
- Residents spend more than 50% of their total income on rent
- Residents spend more than 15% of their total income on household energy costs
- Residents are undocumented immigrants currently working in Tompkins County
Residents reside in housing that does not meet City code or rental housing has not been inspected in over 10 years

For a neighborhood to be considered a Climate Justice Community in the City of Ithaca, it needs to include at least 51% of households classified as Climate Justice Community, and bit further

**RESOLVED,** That the city will continue to support the development and implementation of strategies to accelerate the development of programs to meet the goals established by the Ithaca Green New Deal.
MEMORANDUM

From: Rebecca Evans  
To: Planning & Economic Development Committee  
Date: March 11, 2022  
Subject: Resolution to Accept a Definition of “Climate Justice Communities”

The purpose of this memo is to provide information on the proposal to accept a definition of ‘Climate Justice Communities’. Acceptance of the definition will support the goal that all benefits of the City’s Green New Deal are shared among all community members to reduce historic social and economic inequities, as described in the Green New Deal resolution adopted by Council in June 2019. Staff is providing this information as well as a resolution for consideration at the March 16, 2022 Planning and Economic Development Committee Meeting.

To design and execute effective GND programming, it is necessary to move beyond the sole metric of ‘household income’ to identify populations in need of additional resources and support. Staff recommends that accepting the proposed definition of Climate Justice Communities is the first step in this work. The definition will be used to guide a soon-to-be-proposed City program, Justice50, which aligns with the federal Justice40 program (see background information below). Once a definition of “Climate Justice Community” has been established, the Office of Sustainability will work with local partners to conduct a city-wide census survey using the proposed definition criteria as a rubric to effectively produce a map of residents in the city and track progress toward future Justice50 goals. This census map will inform the electrification and green jobs programs by guiding outreach and engagement efforts to target specific messaging and opportunities to populations who could most benefit.

Local Context
The City’s Green New Deal (GND) sets bold goals for improving social equity and reducing greenhouse gas (GHG) emissions on a short time frame. Accomplishing these goals requires a critical social justice lens to ensure that the social, environmental, and economic benefits are shared among community members in ways that reduce historic inequities. To design and execute programming effectively, we must first identify priority neighborhoods and populations in need of additional resources and infrastructure. In the past, municipalities have relied on household income data to identify priority communities. Though income is an important factor, history of marginalization does not always manifest as income inequality. Expanding the criteria to include "priority", "vulnerable", or "at-risk" communities allows other social and economic factors to be considered. By doing this we can begin to reach populations that have been historically under-served with resources and infrastructure related to energy, transportation, employment, and community engagement. In the interest of applying this social justice lens to work related to the Ithaca Green New Deal, we suggest creating a comprehensive definition of "Climate Justice Communities" to represent the populations,

The Office of Sustainability has intentionally chosen to use the language “Climate Justice Community” in lieu of “disadvantage community” to underscore the need and commitment to justice and the historic systematic underserving of these populations. It also serves to underscore the role climate change plays as a
threat multiplier to other socioeconomic struggles. The criteria recommended in the attached resolution have been curated to represent populations we believe are most affected in the City of Ithaca and were produced in collaboration with numerous community partners.

**Federal & State Context**

Justice40 is an initiative introduce by President Joe Biden via [Executive Order 14008](https://www.whitehouse.gov/presidential-actions/executive-order-14008/) (Sec. 223) in early 2021. The initiative is a whole-of-government effort to ensure the federal government works with state and local agencies to deliver at least 40% of the overall benefits from federal climate and clean energy investments to “disadvantaged communities”. The Biden administration released interim guidance in late 2021 regarding the definition of “disadvantaged communities”, which can be found [here](https://www.whitehouse.gov/presidential-actions/executive-order-14008/). It is important to note that this guidance is very similar to that which was released by New York State and includes “geographically dispersed sets of individuals” that may not live in close geographic proximity to one another (e.g. Indigenous populations, migrant immigrants, etc.).

New York State’s adoption of the Climate Leadership and Community Protection Act (CLCPA) in 2019 and the federal government’s announcement of the Justice40 initiative cemented the notion that social and economic justice and mitigation of greenhouse gas emissions are explicitly intertwined. Both must be addressed concurrently: refraining from robust action on either inhibits progress on the other. Beyond the two crises being deeply intertwined, certain social and economic factors act as “threat multipliers”. For example, people experiencing homelessness are exponentially more susceptible to rapidly and dramatically changing weather patterns compared to those able to secure climate-conditioned housing. Following is a brief explanation of the Justice40 initiative and the CLCPA that attempts to tackle both issues simultaneously; these two initiatives, in addition to precedence set by the State of Massachusetts and long-standing definitions provided by the U.S. EPA, have helped to guide and shape the local definition of Climate Justice Communities we are presenting.

At the end of 2021, the Climate Action Council (CAC), appointed with the adoption of the CLCPA in New York State, released a [Draft Scoping Plan](https://www.ny.gov/docs/denr/file/120121/scoping-plan-climate-action-council) that indicates state “Disadvantaged Communities” (comparable to “Climate Justice Communities”), would be defined as,

> “communities that bear burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households”.

Through implementation of the CLCPA, these communities are then prioritized for greenhouse gas emissions reductions and reductions in co-pollutants to ensure there is no disproportionate burden in the transition from a fossil fuel-based economy. The Office of Sustainability seeks to emulate this initiative with our locally adjusted definition of “Climate Justice Communities” and the Justice50 program.

Through the acceptance of the Climate Justice Community definition and subsequent Justice50 initiative(s), the City of Ithaca positions itself as a world-leader in social, economic, and climate justice, as described in the Ithaca Green New Deal resolution.

Rebecca Evans will be present at the March 16th meeting of the Planning and Economic Development Committee to provide any additional context that may be needed and to answer any questions. In the meantime, please do not hesitate to reach out via email at revans@cityofithaca.org
CITY ADMINISTRATION COMMITTEE:

10.1 Adoption of the Ithaca Green New Deal - Resolution

By Alderperson Mohlenhoff: Seconded by Alderperson Brock

WHEREAS, the City of Ithaca Common Council has demonstrated its desire and commitment to be a leader in sustainability and social equity by passing resolutions to:

- Join the International Council for Local Environmental Initiatives (2001)
- Endorse the US Mayors’ Climate Protection Agreement (2005)
- Adopt the Climate Smart Communities Pledge (2009)
- Adopt the City of Ithaca Energy Action Plan 2012-2016 (2013)
- Adopt Plan Ithaca, the City’s Comprehensive Plan (2015), which features equity and sustainability as thread-through themes and contains the chapter Sustainable Energy, Water, & Food Systems

; and

WHEREAS, the October 2018 report entitled “Special Report on Global Warming of 1.5 C” by the Intergovernmental Panel on Climate Change and the November 2018 Fourth National Climate Assessment report found that human-caused climate change is causing an increase in extreme weather events that threaten human life, healthy communities, and critical infrastructure; and

WHEREAS, there is a clear emerging international consensus that to avoid the most severe impacts of a changing climate, we should work together to limit global warming to 1.5 degrees Celsius, which is even more ambitious than the previous target of 2 degrees; and

WHEREAS, to accomplish this, scientists say that the entire world needs to get to net-zero emissions by 2050, meaning the same amount of greenhouse gases would have to be absorbed as released into the atmosphere; and

WHEREAS, the United States should take a leading role in achieving that, but with active resistance at the federal level, it has fallen to the states, to local governments and to individual citizens to lead the way; and

WHEREAS, versions of a Green New Deal, which have been proposed at both the Federal and the State level, aim to address climate change and other societal problems like economic inequality and racial injustice; and

WHEREAS, local sustainability professionals, activists, and a growing youth climate movement have urged the City of Ithaca to show more leadership on these challenges; and

WHEREAS, the City has already taken several steps to reduce greenhouse gas emissions, including the following:

- Performed energy efficiency upgrades and installed rooftop solar energy systems at several locations. The Ithaca Area Waste Water Treatment Facility, recognized
by the U.S. DOE for its efforts, has improved the efficiency of its operations dramatically and offsets its energy needs on-site through the production and use of biogas;

- The City is actively working to upgrade its entire inventory of streetlights to LED technology, cutting greenhouse gas emissions 50-60% and slashing lighting costs even more dramatically;
- The City worked for years to develop a large scale solar array located at the Ithaca Tompkins airport, which would have generated enough clean electricity to power about one third of City government operations, with significant cost savings. Due to circumstances beyond the City's control, the project ultimately fell through;
- Since 2014, the City has shared a Sustainability Coordinator with the Town of Ithaca; The position is dedicated to reducing greenhouse gas emissions in government operations and the Ithaca community;
- In 2018 the City adopted the Ithaca Green Building Policy report, with the intention of enacting legislation in 2019, which is currently under development;
- The City installed five electric vehicle charging stations in three public parking garages and is an active partner in the EV Tompkins program, which aims to double the number of local EV drivers. The City is working on incorporating the first EV into its fleet;
- In collaboration with four other municipalities, the City developed a residential energy score program that would tap market forces to improve the energy efficiency of existing homes. New York State is now rolling out regional home energy score pilot programs in several locations across the state, including Ithaca, thanks in part to these efforts;
- The City enabled the innovative Property Assessed Clean Energy (PACE) financing program to offer long-term low-cost financing for energy efficiency and renewable energy projects in commercially-owned buildings. The City of Ithaca and Tompkins County were the first two upstate NY communities to offer this program.

WHEREAS, by adopting a Green New Deal for Ithaca, the City has the opportunity to build on existing momentum and be the most climate forward city in New York State; and

WHEREAS, there would be multiple benefits besides greenhouse gas reduction, including local job creation and improved community health; and

WHEREAS, the City of Ithaca acknowledges that to implement a Green New Deal will require support from New York State and the Federal government; and

WHEREAS, to be successfully implemented, the Ithaca Green New Deal must have the support of the City of Ithaca at all levels of government; and
WHEREAS, this support can be demonstrated at first by the City of Ithaca Common Council through the adoption of this resolution; and

WHEREAS, in accordance with the City of Ithaca Code §176-5C (26) “adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list”, this action does not require a City Environmental Quality Review (CEQR); now, therefore be it

RESOLVED, That the City of Ithaca adopts a goal to meet the electricity needs of City government operations with 100% renewable electricity by 2025; and, be it further

RESOLVED, That the City of Ithaca adopts a goal to reduce emissions from the City fleet of vehicles by 50% from the 2001 levels by 2025; and, be it further

RESOLVED, That the City of Ithaca hereby adopts a goal of achieving a carbon neutral city by 2030; and, be it further

RESOLVED, That the City of Ithaca endorses the following actions to achieve these goals:

- Create a climate action plan (CAP) in 2020 to provide details on how to achieve the Ithaca Green New Deal, and update the CAP regularly;
- Track and annually report on progress towards the goals listed above
- Adopt a Green Building Policy for new buildings in 2019;
- Adopt a Green Building Policy for existing buildings by 2021; and
- Assign additional staff as needed to implement the plan

; and, be it further

RESOLVED, That the Mayor and Common Council will work with department heads and city staff, members of appropriate boards and commissions, businesses, community groups, academic institutions, organizations, and other local governments to develop a comprehensive public input process to enable achievement of these goals; and, be it further

RESOLVED, That the City of Ithaca will ensure that the benefits of the Ithaca Green New Deal are shared among all of our local communities to reduce historical social and economic inequities; and, be it further

RESOLVED, That the City Clerk send copies of this resolution to United States Senators Chuck Schumer and Kirsten Gillibrand; United States Representatives Tom Reed and Alexandria Ocasio-Cortez; Governor Andrew Cuomo; Assemblywoman Barbara Lifton; State Senator Tom O’Mara, and all the other members of the Honorable New York State Congressional delegation.

Carried Unanimously
STATE OF NEW YORK  
COUNTY OF TOMPKINS  
CITY OF ITHACA  

I, Julie Conley Holcomb, City Clerk of the City of Ithaca, do hereby certify that the foregoing resolution is a true and exact copy of a resolution duly adopted by the Common Council of said City of Ithaca at a regular meeting held on the 5th day of June, 2019, and that the same is a complete copy of the whole of such resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the Corporate Seal of the City of Ithaca, this 17th day of June, 2019.

[Signature]

Julie Conley Holcomb, CMC  
City Clerk  
City of Ithaca, New York
Defining Climate Justice Communities
Climate Justice & the Green New Deal

- "ensure that the benefits of the Ithaca Green New Deal are shared equally among all of our local communities to reduce historical social and economic inequities"

- Justice50 vision – 50% of benefits directed to "Climate Justice Communities"

- Define "Climate Justice Communities" in local context

- Implementation of Justice50 in City operations
Context & Precedent

♦ Federal Justice40 Program
- Executive Order 14008, Sec. 223
- 40% of climate-related benefits
- "Geographically dispersed" individuals

♦ New York CLCPA
- 2021 Draft Scoping Plan "disadvantaged communities" definition

♦ State of Massachusetts
- Defined "environmental justice" communities
- Applied to state context and demographics
Proposed Climate Justice Communities Definition

- Populations with local history of marginalization or systemic oppression
- Low-income households and those with particularly high housing or energy costs
- Individuals for whom climate change and its ramifications act as a "threat multiplier"
- Neighborhoods where at least 51% of individuals meet the climate justice criteria
Next Steps

- Accept definition
- Identify comprehensive benefits
- Identify Justice50 operationalization
- Assess departmental impacts
- Establish metrics
- Propose Justice50
INDIVIDUAL MEMBER FILED RESOLUTIONS:
6.1 Naming of Bridge for Kirby Edmonds

WHEREAS, Town of Ithaca Supervisor Rod Howe reached out to Acting Mayor Laura Lewis inquiring into naming the bridge spanning Route 13 near Home Depot, affectionately known as the “bridge to nowhere”, as the “Kirby Edmonds Bridge”, to honor the lifelong work and achievements of Mr. Edmonds, and

WHEREAS, this bridge is geographically located on the border of the City of Ithaca and the Town of Ithaca and is an integral connector to the Gateway Trail and the soon to be extended Black Diamond Trail, and

WHEREAS, Kirby Edmonds dedicated himself to community service and building a better world through conflict resolution and mediation, dismantling exclusive practices, addressing racism, and bridging differences by bringing together diverse groups to hold respectful but frank dialogues, and

WHEREAS, Kirby, who passed away in August 2020, was known for adding his voice quietly yet with impact and for his considerable talent as a facilitator in situations where he worked with others to further a vision of justice for all, and

WHEREAS, Kirby was known as a builder of movements, he also took on other mantles: contributor, connector, leader and encourager of others to plan actions to ensure greater power and resources into people’s hands, as seen locally with his spearheading the creation of Building Bridges – the Collective Impact Initiative to promote a socially just, ecologically sound, sustainable economy in the Tompkins County region, and

WHEREAS, Kirby’s skills as a facilitator contributed greatly to the development of the City of Ithaca’s Comprehensive Plan, his assistance in distributing news and information regarding local relief efforts during the pandemic – despite his declining health – was yet another contribution to our community, among many other initiatives he aided, and

WHEREAS, Common Council believes that the naming of this bridge would be a fitting recognition of the lifelong work and dedication Kirby offered to the greater Ithaca community; now, therefore, be it

RESOLVED, That Common Council hereby names the bridge over Route 13 near Home Depot as the Kirby Edmonds Bridge so that it will forever be known as the bridge that will lead one to a place of peace, beauty, connection, and adventure, much as its namesake did throughout his life.
6.2 Commitment to the “Stretch to Zero Pilot Program” – Alderperson Cantelmo

WHEREAS, the City of Ithaca has demonstrated its desire and commitment to be a leader in sustainability and social equity, as exemplified by the adoption of the Ithaca Green New Deal, and

WHEREAS, in 2019 the State of New York signed the Climate Leadership and Community Protection Act (Climate Act), which committed New York State to reduce greenhouse gas emissions by 40% by 2030 and at least 85% by 2050, and

WHEREAS, the City has further demonstrated its commitment to reduce greenhouse gas emissions through the adoption of the Ithaca Energy Code Supplement in May 2021, eventually requiring new constructions and major renovations to stop relying on fossil fuels to meet their energy needs, and

WHEREAS, the City continues to strengthen its energy codes and further develop an energy performance standard, applying to existing commercial and residential buildings, and

WHEREAS, the City has further demonstrated its commitment to reducing greenhouse gases from energy use inside buildings by approving the Energy Efficiency Retrofit and Thermal Load Electrification Program in November 2021, and

WHEREAS, in support of the Climate Act, the New York State Energy Research and Development Authority (NYSERDA) is soliciting funding proposals for the “Stretch to Zero Pilot Program” for cities that will create and test workable approaches for the local and statewide implementation of a decarbonized, zero on-site greenhouse gas emissions code, and

WHEREAS, a “Stretch to Zero” award would provide $500,000 to the City in exchange for formal information sharing on the initiatives and associated processes related to electrification and the Ithaca Green New Deal, and

WHEREAS, the “Stretch to Zero” award would require no matching funds; now, therefore, be it

RESOLVED, That the City authorizes staff to apply to be part of the “Stretch to Zero” program managed by NYSERDA; to develop the required agreements between the funder and the City; and to share information about decarbonization and electrification processes and initiatives with NYSERDA, including:

- Financing models for electrification.
- Initiatives and programs that support BIPOC and low to moderate income residents in the transition to a decarbonized economy.
- Data collection.
- Management and work-flow expectations for electrification of commercial and residential buildings.
- Workforce development models including recruitment, certifications, micro-credentialing, training, job placement, and wraparound infrastructure, and be it further

RESOLVED, That the Planning and Development Department will be responsible of communicating and reporting to NYSERDA’s Stretch to Zero Pilot Program.
7.1 COMMON COUNCIL APPOINTMENTS:
Appointments to City of Ithaca Local Board of Assessment Review

RESOLVED, That Marjorie Olds, Marshall McCormick, and be appointed to the City of
Ithaca Local Advisory Board of Assessment Review for 2022.

7.2 MAYOR’S APPOINTMENTS:
Appointment to Board of Zoning Appeals

RESOLVED, That Andre Gardiner be appointed to the Board of Zoning Appeals with a term to
expire December 31, 2024.