



CITY ADMINISTRATION COMMITTEE AGENDA ITEMS

Date: Wednesday, April 27, 2022
 Time: 6:00 P.M.
 Location: [YouTube Channel](#)

Item	Voting Item?	Presenter(s)	Time Allotted
1. Call to Order	No	Chair, R. Cantelmo	5 Min
1.1 Agenda Review	Yes		5 Min
1.2 Review and Approval of Minutes Approval of March 23, 2022, minutes.			
2. Special Presentations			
2.1 Alternative Response Update	No	M. Smiley, Community Justice Center	20 Min
3. Petitions and Hearings of Persons Before Council			
3.1 Statements from the Public	No	Sign up for public comment here: https://bit.ly/3pDc1LD	15 Min
The public will be able to provide short statements during the first hour of the meeting. *Written comments will be compiled and entered into the record.	No		*Submit written comments here: https://j.mp/2XUYUdW
3.2 Council Response			
4. Government Administration, Human Resources, and Policy			
4.1 An Ordinance Amending Chapter 215 (Unlawful Discriminatory Practices) of Part II (General Legislation) Of the Code of the City of Ithaca in Relation to Unlawful Discriminatory Practices	Yes	Chair, R. Cantelmo	10 Min
4.2 PBZ&ED - Authorization to Pursue Community Choice Aggregation	Yes	L. Aguirre-Torres, Director of Sustainability	30 Min
4.4 Attorney – Water Main Easement	Yes	V. Kessler, Asst. City Attorney	5 Min
4.5 IPD – MOU with PBA	Yes	Acting Chief J. Joly, IPD	5 Min
4.6 IPD – Ithaca-Tompkins SRT MOU - To Be Presented Under Separate Cover	Yes		5 Min
5. Finance, Budget, and Appropriations			
5.1 DPW - Request to Increase CP 863	Yes	A. Gebre, Bridge Engineer	5 Min
5.2 PBZ&ED – Request for Budget Amendment	Yes	B. McCracken, Historic Pres.	5 Min
5.3 Attorney – Funds for Right to Counsel Program	Yes	V. Kessler, Asst. City Attorney	5 Min
5.4 Program Reviews for Community Organizations	Yes	F. Vavra, Chief of Staff	5 Min
5.5 HR – Reimagining Public Safety Co-Leads	Yes	S. Michell-Nunn, HR Director	30 Min
6. Discussion			
6.1 Rules of Procedure	No	Chair, R. Cantelmo	20 Min
7. Meeting Wrap-Up			
7.1 Announcements		All	
7.2 Next Meeting Date: May 25, 2022			
7.3 Review Agenda Items for Next Meeting			
7.4 Adjourn			

This meeting can be viewed with the following link: https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg

4. Government Administration, Human Resources, and Policy

.1 AN ORDINANCE AMENDING CHAPTER 215 (UNLAWFUL DISCRIMINATORY PRACTICES) OF PART II (GENERAL LEGISLATION) OF THE CODE OF THE CITY OF ITHACA IN RELATION TO UNLAWFUL DISCRIMINATORY PRACTICES

WHEREAS, the City of Ithaca has a long-standing commitment to provide protection against discrimination to its residents in the area of employment, and

WHEREAS, the U.S. workforce has a well-documented racial and gender pay gap, and

WHEREAS, research in the field of labor economics finds that hourly and salary compensation transparency improves pay equity and improves employee retention for employers, now, therefore

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

Section 1. Legislative findings, intent, and purpose.

The Common Council makes the following findings:

1. The City of Ithaca has an interest in providing protection against discrimination to its residents.
2. Equitable employer-employee relations are a matter of public welfare.
3. Wage transparency empowers employees to make informed decisions about personal financial and economic stability.

Based upon the above findings, the intent and purpose of this ordinance is to foster wage transparency in the employer-employee relationship in the city.

Section 2. §215-2, “Definitions”, is hereby amended so that the following particular Definitions shall read as follows, without change to other Definitions included in 215-2:

EMPLOYEE

An individual who performs services for and under the control and direction of an employer for wages or other remuneration, but not including ~~[Does not include]~~ any individual employed by his or her parents, spouse or child, or in the domestic service of any person, nor any person whose work qualifies under applicable New York State law as that of an independent contractor.

EMPLOYER

Any person, firm, partnership, institution, corporation, or association that employs one or more employees, but not including any such entity ~~[Does not include any employer]~~ with fewer than four employees in its employ.

EMPLOYMENT AGENCY

~~[Includes any]~~ Any person undertaking to procure employees or opportunities to work as an employee.

Section 3. §215-3 of the City Code is hereby amended to add at the end thereof a new subsection F to read as follows:

F. Employment; minimum and maximum compensation in job listings.

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

2. This subdivision does not apply to an employer that employs fewer than four employees whose standard work locations are in the city.

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

Section 4. Severability Clause.

Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Effective Date.

This ordinance shall take effect on September 1, 2022, and in accordance with law upon publication of notices as provided in the Ithaca City Charter.

4. Government Administration, Human Resources, and Policy

.2 Authorization to Develop Community Choice Aggregation Implementation Plan for the City of Ithaca According to Public Service Commission CCA Order

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 Ithaca Green New Deal includes city-wide decarbonization and climate justice by 2030; and

WHEREAS, to achieve carbon neutrality by 2030 the city requires to reduce its reliance on fossil-fuel generated electricity; and

WHEREAS, the utility company serving City of Ithaca residents relies on a combination of fossil fuel- and carbon-free energy sources to generate electricity, currently offering not viable path to eliminate greenhouse gases (GHG) from electricity generation; and

WHEREAS, other energy service companies offer the option to individual consumers of procuring electricity from renewable sources at a premium, limiting access to renewable energy for the city's low and moderate income population; and

WHEREAS, the Public Service Commission has issued an Order enabling Community Choice Aggregation (CCA) in all of New York State, empowering communities to negotiate contracts for more favorable rates and cleaner electricity supply; and

WHEREAS, CCA allows municipalities to take over the utility's role as the default supplier of energy to their residents and businesses, and develop programs that control cost, increase resiliency, reduce carbon pollution, and keep energy dollars local; and

WHEREAS, more than 100 municipalities in New York state have adopted CCA, including the City of Rochester and Westchester County, as a voluntary opt-out program; and

WHEREAS, as part of an effort to incentivize CCA the PSC has directed the Clean Energy Advisory Council to develop incentives that foster voluntary investments in clean energy technology, further democratizing renewable energy; and

WHEREAS, per PSC CCA Order, municipalities pursuing CCA may collect funds from customer payments to cover all administrative costs associated with the implementation of a CCA program; and

WHEREAS, per PSC CCA Order, Common Council must approve

- A local law to "facilitate the creation of Community Choice Aggregation programs in New York State" before moving forward with the development of
- CCA Implementation Plan, CCA Community Outreach Plan and CCA Data Protection Plan, also to be approved by Common Council

before submitting to the PSC for final authorization; and

WHEREAS, in collaboration with the Town of Ithaca and other municipalities in Tompkins County, the City of Ithaca has engaged since September 2021 with Local Power LLC for the development of a CCA program, initially sponsored by Park Foundation, and for which a Capital Project was approved as part of the 2022 budget; now, therefore be it

RESOLVED, That the City authorizes staff to continue working with Local Power LLC, the Town of Ithaca and other municipalities in Tompkins County, to develop a CCA program, including a Local Law, Implementation Plan, Outreach Plan and Data Protection Plan, Voluntary Investment Plan and Clean Electricity Procurement Plan, all to be submitted to Common Council for approval at a later date in 2022, detailing the following:

- Specifics of how the program will be implemented, how it will benefit or affect the citizens of Ithaca, how it will impact the cost of electricity.
- How the program may impact city operations and staff count, and if necessary, a plan to address hiring needs, including all associated costs.
- The designation of CCA administrator in charge of organization, procurement and communications.
- The costs associated with managing and implementing the CCA program, and the way in which the City may recover all associated costs.
- How outreach, data protection, implementation and voluntary investment plans will be deployed.
- Timeline for implementation and steps to procure carbon free electricity.
- A comprehensive description of short- and long-term benefits, challenges and opportunities;

and, be it further

RESOLVED, That the Planning and Development Department will be responsible of developing and presenting to Common Council a CCA Local Law for approval as a required next step

4. Government Administration, Human Resources, and Policy
.3 Authorize Purchase of Easement for Improvement of Water System

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

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

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

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

WHEREAS, on March 2, 2022, Common Council declared itself lead agency for environmental review and determined that the acquisition of the easement and extension of the main would have no significant environmental impact; and

WHEREAS, on March 2, 2022, Common Council authorized acquisition of the easement by eminent domain; and

WHEREAS, since that date, the City has been in negotiations with the property owner for the voluntary transfer of the easement on mutually acceptable terms; be it hereby

RESOLVED, That the Department of Public Works, in conjunction with the City Attorney, is authorized to offer terms for the voluntary acquisition of the easement that will enable the connection of the water mains and improvement of the water system, including the expenditure of not more than \$6,000, provided, however, that said funds shall be expended from previously authorized departmental operating budgets or applicable capital project accounts; and be it further

RESOLVED, That the Acting Mayor, in consultation with the City Attorney, is authorized to execute any such documents as shall be necessary to effectuate the transfer of the easement; and be it further

RESOLVED, That in the event that the City and property owner are unable to reach an agreement for voluntary transfer of the easement, the easement shall be acquired by eminent domain as previously authorized by Common Council.

4. Government Administration, Human Resources, and Policy
.4 Approval and Authorization to Execute Memorandum of Agreement and Settlement with Ithaca Police Benevolent Association

WHEREAS, in or about August and September of 2020 the Ithaca Police Department (“IPD”) mandated certain officers to perform overtime work; and

WHEREAS, the Ithaca Police Benevolent Association (“PBA”) filed an improper practice charge with the Public Employment Relations Board (“PERB”) contending the City had an obligation to bargain with the PBA over procedures for allocating mandatory overtime work (Charge No. U-37670) (the “Charge”); and

WHEREAS, an administrative law judge of PERB encouraged the City and PBA to resolve the Charge by negotiating procedures for allocating mandatory overtime work; and

WHEREAS, the City and PBA successfully negotiated the procedures for allocating mandatory overtime work, which are reflected in the Memorandum of Agreement and Settlement; now therefore be it

RESOLVED, That the Common Council approves the Memorandum of Agreement and Settlement between the City and PBA setting forth procedures for the allocation of mandatory overtime work, providing for the payment of mandatory overtime work at a double time rate in specified circumstances, and allowing either party a yearly opportunity to opt out of the terms of the Memorandum of Agreement and Settlement in which case provisions for allocation and payment for mandatory overtime work would be renegotiated, and providing for PBA’s withdrawal of the Charge; and, be it further

RESOLVED, That the Acting Mayor is authorized to fully execute the Memorandum of Agreement and Settlement on behalf of the City.

STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

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In the Matter of the

ITHACA POLICE BENEVOLENT ASSOCIATION, INC.,

Charging Party,

- against -

PERB Case No.: U-37670

CITY OF ITHACA,

Respondent.

-----X

MEMORANDUM OF AGREEMENT AND SETTLEMENT

BY AND BETWEEN:

THE CITY OF ITHACA, NY

AND,

ITHACA POLICE BENEVOLENT ASSOCIATION, INC.

WHEREAS, the City of Ithaca, NY (hereinafter the “City”) and the Ithaca Police Benevolent Association, Inc. (hereinafter “PBA”), are signatories to a collective bargaining agreement (“CBA”) in which the terms and conditions of employment for the members of PBA are set forth;

WHEREAS, the CBA and a Memorandum of Agreement (“MOA”) dated July 1, 2020 enumerate the procedures associated with voluntary overtime in the Patrol Division, procedures which are not changed by this agreement;

WHEREAS, the PBA, on behalf of the members who were mandated to work overtime in August and September of 2020, filed an Improper Practice Charge (U-37670) (hereinafter the “Charge”) with the Public Employment Relations Board (“PERB”) on or about October 13, 2020;

WHEREAS, the Charge alleged a failure by the City to negotiate the procedures in which mandated overtime for the Patrol Division due to officer absence(s) would be assigned;

WHEREAS, an initial conference occurred in association with the Charge on December 16, 2020;

WHEREAS, the parties agreed to negotiate the procedures in which mandatory overtime in the Patrol Division due to absences or other emergency needs would be assigned;

WHEREAS, the Charge has been placed on PERB's hold calendar while the parties negotiated these procedures;

NOW, THEREFORE, the parties hereto agree to the terms, as follows:

1. The parties agree that in situations requiring mandatory overtime in the Patrol Division due to absences or emergency i.e., unanticipated and unforeseen event or incident (not to include training), where the City determines additional officers are required in a shift, the City will follow the below procedures in the order as listed:
 - a. Before mandating overtime under these procedures, the procedures for voluntary overtime outlined within the CBA and MOA, or as changed thereafter by the parties' mutual agreement, will first be utilized to determine whether the necessary overtime could be filled voluntarily, unless an emergency as defined above requires immediate response.
 - b. An officer scheduled to work the shift where there is a shortage but is scheduled for training will be notified that the training is cancelled and the officer is required to report for patrol for the shift, so long as the officer is given reasonable notice of the training cancellation and order to report for patrol. Prior to cancelling training consideration will be given to whether or not the training is a certification essential to the continued operations of the Ithaca Police Department. Cost, location, and the duration of the training will also be considered.
 - c. Where no volunteer or an insufficient number of volunteers for overtime is/are obtained through the voluntary procedures, and/or an officer cannot be recalled from training, or an emergency need as described in paragraph 1(a) exists, the City may then mandate overtime to meet its desired staffing levels in accordance with the following procedures:
 - i. For each bid cycle, there shall be a list maintained by the Department for each shift listing each officer assigned to that shift in reverse order of seniority. When an officer is mandated to work overtime the list shall be marked next to the applicable officer's name and notated with a date when the mandated overtime occurred.
 - ii. Supervisors shall make reasonable attempts to review the schedules of all officers regularly scheduled for their shift at least 72 hours in advance so as to ensure that to the greatest extent possible shift shortages can be covered through voluntary overtime in accordance with the CBA and the Voluntary Overtime MOA.
 - iii. The list for each shift shall be utilized on a rotating basis, starting with the least senior officer, and then moving to the next most senior officer, etc., for each mandated shift. However, if any of the conditions in paragraphs 1(d), 5 or 7 are present, the rotation shall move to the next most senior officer. Should the most senior officer on the shift be mandated during the applicable bidding cycle, the rotation shall begin again with the least senior officer.

- iv. The officer(s) who is/are on duty on the shift immediately preceding the shift in which mandatory overtime is needed shall be mandated to remain on duty for the first four hours of the shift in question, unless that officer agrees to work the entire eight-hour shift in which the overtime is needed.
 - v. The officer(s) who is/are scheduled for their regularly scheduled shift immediately following the shift in which mandatory overtime is needed shall be mandated to report early for the second four hours of the shift in question if the officer mandated from the preceding shift has not agreed to work the entire eight-hour shift as well as their regularly scheduled shift.
 - vi. If staff is unable to reach any of the officers on the following shift to come in early, staff may, in their discretion hold the officer mandated to work the first four hours of the shift to work for an additional four hours if there is a verified and articulated need such as high call volume or unusual incidents.
- d. An officer shall not be mandated to work if it would result in the officer working more than 16 consecutive hours. In the event that an officer is excused under this provision, the next officer in order on the list will be mandated, but the excused officer will be the first to be mandated in the next instance mandating overtime is required. A notation will be made on the overtime list that demonstrates this occurred.
2. Officers who are mandated to work overtime shall be provided notice of the mandatory overtime as soon as patrol administration makes the determination that the mandated overtime is required.
3. Mandated overtime shall only be for a partial shift, i.e., four hours, except for situations as described in Paragraph 1(c)(iv) or (vi) above, and shall be paid in accordance with the terms of the CBA.
4. If, after an officer has been notified, they will be mandated to work, the need for the mandated time no longer exists, the officer who was mandated shall be given the option to work, even though the need for the mandate no longer exists. Officers who choose to work that time shall be paid in accordance with the CBA, but officers who choose not to work shall not be paid for that time.
5. No officer shall be mandated to work overtime more than three (3) times per calendar month (a calendar month shall be defined as the first day of each month until the last day of the same month, and resetting on the first of the next month).
6. An officer who has been mandated to work shall be compensated at a rate of two times their normal pay rate for all mandated hours worked or at the four (4) hours call-in or holiday overtime rate, whichever is higher. This provision shall not apply if the officer agrees to work the shift when the need for mandating no longer exists, as set forth in Paragraph 4 above.
7. Where an officer requests, for good reason, to be excused from mandatory overtime, they may notify the shift commander to request that they be excused from mandatory overtime for a shift in which they have been notified they will be mandated to work. After receipt of the request, it shall be considered and the employee will be notified of the decision to deny or approve the request. Such requests will not be unreasonably denied. In an instance where an officer is excused,

the next officer in order on the list will be mandated, but the excused officer will be the first to be mandated in the next instance mandating overtime is required. A notation will be made on the overtime list that demonstrates this occurred.

8. This MOA is not intended to impact the City’s management rights with respect to overtime or staffing level determinations in the Police Department.

9. Nothing in this agreement should be construed as altering the voluntary overtime procedure or shift bidding processes enumerated within the CBA and MOA.

10. This MOA shall be incorporated into the CBA and shall be enforceable through the grievance procedure of the CBA, subject to the following: (a) an employee shall work mandatory overtime for which the employee has been called in, even if disputed, subject to adjustment through the grievance procedure and not by refusing to work; and (b) either party may, not more than ninety (90) and not fewer than sixty (60) days prior to the first anniversary of the Common Council’s approval of this MOA, give written notice to the other party that this MOA shall terminate on the anniversary date. In the event either party gives such notice, this MOA shall terminate on the anniversary date unless replaced by a further written agreement of the parties. In the event neither party gives such notice, this MOA shall be renewed for an additional year and from year-to-year thereafter, subject to either party giving the other written notice of termination not more than ninety (90) and not fewer than sixty (60) days prior to the next anniversary, etc. Subpart “(b)” of this paragraph 10 shall remain in effect as to the provisions set forth in this MOA notwithstanding continuation of the CBA by its terms or by operation of law. Upon said notice being delivered to the other party, the parties shall then renegotiate the terms of this MOA. Mandated overtime that occurs from the date of termination of the MOA until the terms are renegotiated shall only be in response to an Emergency situation as defined in Paragraph 1.

11. This MOA is subject to PBA and Common Council approval and shall only be effective upon such approvals.

12. Upon Common Council approval of this agreement, the PBA shall withdraw the pending charge in PERB.

13. This agreement may not be utilized as precedent for any other matter arising between the parties.

14. The parties agree, for the purposes of this agreement, electronic, scanned, or facsimile signatures shall be deemed original signatures for all purposes, even if executed in one or more counterpart.

ITHACA POLICE BENEVOLENT ASSOCIATION, INC.	THE CITY OF ITHACA, NY
<hr/> PBA PRESIDENT Dated: March __, 2022	<hr/> ACTING MAYOR Dated: March __, 2022

5. Finance, Budget, and Appropriations

.1 Request to Increase Authorization of Cecil A Malone Dr. Bridge Replacement Project – CP 863

WHEREAS, Sponsor will design, let and construct the "project"; and

WHEREAS, a Project for the Cecil Malone Drive Bridge over Flood Relief Channel, P.I.N. 375589 ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-Federal funds; and

WHEREAS, the City of Ithaca desires to advance the Project by committing 100% of the non-Federal share of Design, Right-of-Way Incidental, Right-of-Way Acquisition, Construction and Inspection; and

WHEREAS, in November 2018, Common Council authorized \$2,172,000 (95% Federal and 5% Local Share) of BRIDGE NY funding that was made available by the New York State Department of Transportation for Project; and

WHEREAS, in January 2022, Common Council increased the project budget by \$822,000, for a total authorization of \$2,994,000 as a result of project scope change and construction items increase due to the COVID-19 pandemic, and

WHEREAS, three bids were received for the Project on March 24, 2022; and

WHEREAS, Economy Paving Inc., 1819 NY-13, Cortland, NY, submitted the low bid for the Project in the amount of \$2,779,299.70; and

WHEREAS, the Project budget is increased by \$450,000 due to a higher low bid price than our Engineer's Estimate; and

WHEREAS, the City of Ithaca is responsible for all costs of the Project which exceed the amount of the BRIDGE NY funding awarded to the City of Ithaca, and

WHEREAS, the Department of Public Works has recommended to allocate an additional \$405,000 in Consolidated Local Street and Highway Improvement Program (CHIPS) fund and \$45,000 from the Water and Sewer fund to cover the budget shortfall; and

WHEREAS, the amended project budget is projected to be \$3,444,000; and, be it further

RESOLVED, That Common Council hereby approves an increase of Capital Project #863 by an amount not to exceed \$450,000, for a total project authorization of \$3,444,000; and be it further

RESOLVED, That funds needed for said \$450,000 amendment shall be derived from the following sources:

CHIPS - \$405,000 and Water & Sewer Fund - \$45,000

and be it further

RESOLVED, That in the event of full federal and non-federal share cost of the Project exceeds the amount appropriated above, the City of Ithaca shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

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

RESOLVED, That the Superintendent of Public Works is hereby awarded the construction contract for the Project to Economy Paving Inc., 1819 NY-13, Cortland, NY for its low bid of \$2,779,299.70, contingent upon New York State Department of Transportation approval, and be it further

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

RESOLVED, This resolution shall take effect immediately



CITY OF ITHACA

108 East Green Street, Ithaca, New York 14850-6590

DEPARTMENT OF PUBLIC WORKS

Michael J. Thorne, P.E.

Superintendent

Telephone: 607/274-6527

Fax: 607/274-6587

MEMORANDUM

TO: City Administration Committee
FROM: Addisu Gebre, Bridge Systems Engineer
DATE: April 5, 2022
RE: Cecil Malone Drive Bridge Replacement Project, CP#863

I have attached a resolution seeking Common Council authorization to increase the Cecil Malone Drive Bridge Replacement Project, CP#863 budget and award the contract to the lowest responsible bidder contingent upon New York State Department of Transportation approval.

In January 2022, Common Council amended the project budget for a total authorization of \$2,994,000 to cover a significant engineer's estimate increase due to the high steel price increase resulting from the COVID-19 pandemic and project scope change. The project scope change resulted in temporary and permanent Right-of-Way acquisition, additional sidewalk, sewer system upgrade, and design and construction inspection costs.

On Wednesday, March 24, 2022, three bids were opened for Cecil A Malone Drive Bridge Project. And Economy Paving Inc. submitted the low bid for the Project in the amount of \$2,779,299.70 which increased the project authorized budget by \$450,000. To cover this budget gap, the Department of Public Works has recommended to allocate an additional \$405,000 in Consolidated Local Street and Highway Improvement Program (CHIPS) fund and \$45,000 from the Water and Sewer fund. Staff recommends award of contract to Economy Paving Inc. for its low bid of \$2,779,299.70 contingent upon New York State Department of Transportation approval.

The project will include replacing the existing bridge to eliminate the bridge's structural deficiencies and providing a wider bridge deck to accommodate heavy industrial traffic, pedestrians, and bicyclists. The project will include restoring the crossing to a condition that provides a minimum 75-year design life.

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

cc: Tim Logue, Director of Engineering Services

5. Finance, Budget, and Appropriations

.2 Planning, Building Zoning & Economic Development

WHEREAS, the City of Ithaca partnered with the Landmarks Society of Western New York (LSWNY), NYS Office of Parks, Recreation and Historic Preservation (NYS OPRHP), the Preservation League of New York State, and Historic Ithaca to present a statewide historic preservation conference in 2021; and

WHEREAS, the Statewide Historic Preservation Conference was held in November 2021 and gathered 240 historic preservation professionals and enthusiasts as well as economic and community developers, elected officials, educators, and developers from across the state; and

WHEREAS, the City applied for and received a Certified Local Government (CLG) Subgrant in the amount of \$22,464 from the NYS OPRHP to help fund the expenses associated with hosting the conference, including a workshop by Incremental Development, the keynote speaker, printing, graphic design, and mailing expenses, an audiovisual consultant, and Conference scholarships; and

WHEREAS, the CLG Subgrant is wholly reimbursable and did not require a local match; now, therefore be it

RESOLVED, That Common Council hereby amends the 2021 Authorized Planning Department Budget to account for the said CLG Subgrant as follows:

Increase Revenue Account:		
A8020-3989 State Aid Home & Community		\$22,464.00
Increase Appropriations Account:		
A8020-5435 Contracts		\$22,464.00

5. Finance, Budget, and Appropriations

.3 Approval of Release of Funds for Right to Counsel Program

WHEREAS, as part of the 2022 Authorized Budget, Common Council placed \$125,000 in Restricted Contingency for the Right to Counsel Program; now, therefore be it

RESOLVED, That Common Council hereby release an amount not to exceed \$125,000 from Account A1990 Restricted Contingency and transfer said funds to Account A1210-5435 Mayor Contracts to provide funding to the Right to Counsel Program.

5. Finance, Budget, and Appropriations

.4 Memorandum of Understandings for Outside Organizations Funded in 2022 Budget

WHEREAS, Common Council included \$50,000 each in Restricted Contingency, within the 2022 Authorized Budget, funding 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; and

WHEREAS, Black Hands Universal and Unbroken Promises Initiative both provided documentation to the Controller before 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 and the funding of \$50,000 per organization be released from restricted contingency, and be it further

RESOLVED, That Common Council hereby transfer an amount not to exceed \$100,000 from Account A1990 Restricted Contingency to Account A1012-5435 Community Services Contracts for the purposes of funding said organizations at \$50,000 each, and be it further

RESOLVED, That the Attorney’s Office shall prepare for the Mayor’s 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.

5. Finance, Budget, and Appropriations

.5 Release of Contingency Funds for Work on Reimagine Public Service

WHEREAS, Eric Rosario and Karen Yearwood performed professional services for the Reimagine Public Safety Report for the City of Ithaca at a cost of \$10,000 each; and

WHEREAS, funds for Reimagine Public Safety were included in the 2022 Authorized Budget in Restricted Contingency; now, therefore be it

RESOLVED, That Common Council hereby approves the release of funds from Account A1990 Restricted Contingency in the amount not to exceed \$20,000 for the purposes of paying for said services, and transfers those funds to Account A3010-5435 Department of Community Safety Contracts.