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

## CITY ADMINISTRATION COMMITTEE

### AGENDA ITEMS

<table>
<thead>
<tr>
<th>Item</th>
<th>Voting Item?</th>
<th>Presenter(s)</th>
<th>Time Allotted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Call to Order</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1.1 Agenda Review</td>
<td>No</td>
<td>Chair, Robert Cantelmo</td>
<td>5 Min</td>
</tr>
<tr>
<td>1.2 Review and Approval of Minutes</td>
<td>Yes</td>
<td></td>
<td>5 Min</td>
</tr>
</tbody>
</table>

Approval of February 23, 2022, minutes

2. Petitions and Hearings of Persons Before Council

2.1 Statements from the Public

*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.*

2.2 Council’s Response

No


*Submit written comments here: [https://j.mp/2XUYUdW](https://j.mp/2XUYUdW)*

3. Government Administration, Human Resources & Policy

3.1 Police – Amendment to Personnel Roster

Yes

J Joly, Police Chief

5 Min

3.2 Police – Approval of Services Contract

Yes

J Joly, Police Chief

15 Min

3.3 Approval of Final BlocPower Electrification Contract

Yes

L Torres, Sustainability Coordinator

A Lavine, Attorney

15 min

3.4 Adoption of Redistricting Report

Yes

F Vavra, Chief of Staff

5 Min

3.5 Local Law Implementing Hybrid Open Meetings

Yes

J Holcomb, Clerk

A Lavine, Attorney

15 Min

4. Finance, Budget and Appropriations

4.1 PIT – Request to Increase Funding for Capital Project #906 for Enterprise-Wide Permitting Software

Yes

J Holcomb, Clerk

5 Min

4.2 Access Oversight Committee Budget Amendment

Yes

G DeFendini, Council Member

5 Min

4.3 Authorization of FY22 Implementing Crisis Intervention Teams - Community Policing Development Solicitation Application

Yes

R Cantelmo, Council Member

5 Min

4.4 Finance - Bond Approval – Cass Park

Yes

S Thayer, Controller

5 Min

4.5 Finance - Bond Approval – College Ave

Yes

S Thayer, Controller

5 Min

4.6 Finance - Bond Approval – State Street

Yes

S Thayer, Controller

5 Min

4.7 Finance - Bond Approval – Stewart Ave

Yes

S Thayer, Controller

5 Min

5. Discussion

5.1 Gifting and Solicitation Policy

No

All

20 Min

5.2 Rules of Procedure

No

All

10 Min

5.3 Amending Chapter 215 of the City of Ithaca Municipal Code Entitled “Human Rights Protection” to Add Article VII “Protection of Reproductive Rights”

No

R Cantelmo, Council Member

10 Min

6. Meeting Wrap-Up

6.1 Announcements

No

All

5 Min

6.2 Next Meeting Date: June 22, 2022

6.3 Review Agenda Items for Next Meeting

6.4 Adjourn

Date: Wednesday, May 25, 2022

Time: 6:00 P.M.

Location: [YouTube Channel](https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg)
3. Government Administration, Human Resources & Policy

.1 Police - Amendment to Personnel Roster

WHEREAS, the Ithaca Police Department requested a review of the Office Assistant position assigned to the Investigations Division to determine whether the position is appropriately classified; and

WHEREAS, the Human Resources Department has reviewed the duties and responsibilities of the Office Assistant position and has determined that there has been a permanent and material growth in job responsibilities that merits a reclassification of the position to Administrative Assistant; and

WHEREAS, the Ithaca Civil Service Commission will review the proposed reclassification of the Office Assistant position to Administrative Assistant at their June 1, 2022, meeting; now, therefore, be it

RESOLVED, That, subject to the approval of the Ithaca Civil Service Commission, the Personnel Roster of the Ithaca Police Department be amended as follows:

Add: One (1) Administrative Assistant (Grade 8)
Delete: One (1) Office Assistant (Grade 5)

and be it further

RESOLVED, That the funding for this change shall be derived from existing funds within the Ithaca Police Department’s budget.
3. Government Administration, Human Resources & Policy  
   .2 Police Department – Approval of Lexipol Policy Services Contract

WHEREAS, the Ithaca Police Department has set department goals of updating the current General Orders, Policies, Procedures, and obtaining New York State Accreditation; and

WHEREAS, meeting these established goals will better align the department with the 6 pillars of Law Enforcement as identified in the Final Report of the President's Task Force on 21st Century Policing: specifically in Building Trust and Legitimacy, and Policy and Oversight; and

WHEREAS, the Ithaca Police Department has further invested in this goal by establishing a Supervisory position filled by a Sergeant assigned to manage Policies, Procedures, and Accreditation; and

WHEREAS, the Ithaca Police Department intends to contract the services of Lexipol to do the following:

1. Review, update, and replace the Policies and Procedures of the department with current, legally sound policies that are in compliance with state and federal guidelines, and aligned with the current best practices in Law Enforcement,

2. Provide monthly scenario based quizzes that support and underscore Policy understanding,

3. Provide Full Policy Implementation, Daily Training Bulletins, Ongoing Policy Updates, a Web-Based Delivery Platform and Mobile App, Reports, Supplemental Publication Services,

and

WHEREAS, the total cost for these services in year one is $37,411, including a one-time $20,207 implementation cost with an annual renewal subscription cost of $17,204 for subsequent years; and

WHEREAS, the Ithaca Police Department is also seeking to subscribe to the Lexipol PoliceOne Academy service, which would provide online training content that will be utilized at roll call trainings, and to develop individual officers knowledge base and skill sets in a broad range of topics including; addressing homeless populations, De-Escalation, Health and wellness, Community Policing, Police Leadership, Duty to Intervene, Ethics, and numerous other topic areas for an additional subscription annual fee of $4,949; and

WHEREAS, upon implementation of the policies provided by Lexipol, the Ithaca Police Department's policies will be aligned with the New York State Department of Criminal
Justice Services Accreditation requirements and will position the department to obtain NY State Accreditation; now, therefore be it

RESOLVED, That funds needed for said Lexipol contract in the amount not to exceed $42,359 be derived from existing funding within the current 2022 authorized Ithaca Police Department budget; and, be it further

RESOLVED, That the Ithaca Police Department is requesting to reallocate existing funding in their budget to pay for this first year of service; and, be it further

RESOLVED, That Common Council hereby directs the City Controller to reallocate existing Police Department funds as necessary to pay for said Lexipol Policy Service Contract; and, be it further

RESOLVED, That the Acting Mayor, upon review of the City Attorney, is authorized to fully execute the contract with Lexipol for Policy Services as outlined in the Lexipol Solutions Proposal.
• **RE:** Policing in 2022 and beyond

• **Challenge(s):**
  - Transparency
  - Training
  - Policy Review and management
  - Third Party Review
  - Understanding best practices (nationally)

• **Goal:** Public Safety and Positive Community Relations

• **The Why:**
  - Lexipol creates polices with the intent to decrease risk and preserve life. Lexipol is successful since they are a non-bias third party that brings forth best practices from around the country. This ensures that departments like ours are provided an outside perspective with an eye to checks and balances.
Who is Lexipol

160(+) NY-specific policies

More than 4,500 agencies representing more than 300,000 personnel

Serving public safety agencies since 2003

POLICY MANAGEMENT

POLICY CONTENT

POLICY TRAINING

POLICY IMPLEMENTATION

ONE Comprehensive SOURCE
Lexipol: Policy Solution

Policy Content
- 160 NY-Specific Policies
- Daily Training Bulletins
- Automatic Policy Updates

Accountability Tools
- Policy Acknowledgement
- Training Documentation
- Accreditation Reporting

Support Services
- Policy Implementation
- Policy Update Management
- Training Bulletin Management
The 5 Pillars

People:
Getting and Keeping good people

Policy:
Provide clear direction for your people (decrease risk)

Training:
Train daily on core critical tasks

Supervision:
Enforce organization policy and procedures

Discipline:
Address when rules/policies are not being followed
Financial Impact

45% reduced frequency of litigated claims
37% fewer claims
48% reduction in severity of claims
67% lower incurred costs

Sources: Colorado Intergovernmental Risk Sharing Agency (CIRSA), claims data from 2014-2015, and Cityounty Insurance Services (CIS) claims data from 2008-2012
US 5,500 Clients
Executive Summary

Public safety agencies and local government organizations today face challenges of keeping personnel safe and healthy, reducing risk and maintaining a positive reputation. Add to that the dynamically changing legislative landscape and evolving best practices, and even the most progressive, forward-thinking departments can struggle to keep up.

Lexipol's solutions are designed to save you time and money while protecting your personnel and your community. Our team consists of professionals with expertise in public safety law, policy, training, mental health and grants. We continually monitor changes and trends in legislation, case law and best practices and use this knowledge to create policies, training, wellness resources and funding services that minimize risk and help you effectively serve your community.

THE LEXIPOw ADVANTAGE

Lexipol was founded by public safety experts who saw a need for a better, safer way to run a public safety agency. Since the company launch in 2003, Lexipol has grown to form an entire risk management solution for public safety and local government. Today, we serve more than 8,100 agencies and municipalities and 2 million public safety and government professionals with a range of informational and technological solutions to meet the challenges facing these dynamic industries. In addition to providing policy management, online training, wellness resources, and grant assistance, we provide 24/7 industry news and analysis through the digital communities Police1, FireRescue1, Corrections1, EMS1 and Gov1.

Our customers choose Lexipol to make an investment in the safety and security of their personnel, their agencies and their communities. We help agencies address issues that create substantial risk, including:

- Inconsistent and outdated polices
- Lack of technology to easily update and issue policies and training electronically
- Unchecked mental health needs of staff
- Difficulty keeping up with new and changing legislation and practices
- Inability to produce policy acknowledgment and training documentation
- Unfamiliarity of city legal resources with the intricacies of public safety law
- The need to secure grant funding for critical equipment, infrastructure and personnel

Lexipol is backed by the expertise of 320 employees with more than 2,075 years of combined experience in constitutional law, civil rights, ADA and discrimination, mental health, psychology, labor negotiations, Internal Affairs, use of force, hazmat, instructional design, federal and state grants and a whole lot more. That means no more trying to figure out policy, develop training or wellness content or secure funding on your own. You can draw on the experience of our dedicated team members who have researched, taught and lived these issues.

We look forward to working with Ithaca City Police Department to address your unique challenges.
Scope of Services

Policy Manual
Constitutionally sound, up-to-date policies are the foundation for consistent, safe public safety operations and are key to reducing risk and enhancing personnel and community safety. Lexipol's comprehensive policy manual covers all aspects of your agency's operations.

- More than 155 policies researched and written by public safety attorneys and subject matter experts
- Policies based on State and federal laws and regulations as well as nationwide best practices
- Content customized to reflect your agency's terminology and structure

Daily Training Bulletins (DTBs)
Even the best policy manual lacks effectiveness if it's not backed by training. Lexipol's Daily Training Bulletins are designed to help your personnel learn and apply your agency's policy content through 2-minute training exercises.

- Scenario-based training ties policy to real-world applications
- Understanding and retention of policy content is improved via a singular focus on one distinct aspect of the policy
- Each Daily Training Bulletin concludes with a question that confirms the user understood the training objective
- Daily Training Bulletins can be completed via computers or from smartphones, tablets or other mobile devices
- Reports show completion of Daily Training Bulletins by agency member and topic

Policy Updates
Lexipol's legal and content development teams continuously review state and federal laws and regulations, court decisions and evolving best practices. When needed, we create new and updated policies and provide them to your agency, making it simple and efficient to keep your policy content up to date.

- Updates delivered to you through Lexipol's web-based content delivery platform
- Changes presented in side-by-side comparison against existing policy so you can easily identify modifications/improvements
- Your agency can accept, reject or customize each update

Web-Based Delivery Platform and Mobile App (Knowledge Management System)
Lexipol's online content delivery platform, called KMS, provides secure storage and easy access to all your policy and training content, and our KMS mobile app facilitates staff use of policies and training completion.

- Ability to edit and customize content to reflect your agency's mission and philosophy
- Efficient distribution of policies, updates and training to staff
- Archival and easy retrieval of all versions of your agency's policy manual
- Mobile app provides in-the-field access to policy and training materials

Reports
Lexipol's Knowledge Management System provides intuitive reporting capabilities and easy-to-read reports that enhance command staff meetings and strategic planning.

- Track and report when your personnel have acknowledged policies and policy updates
- Produce reports showing completion of Daily Training Bulletins
- Sort reports by agency member, topic and other subgroups (e.g., shift, assignment)
- Reduce the time your supervisors spend verifying policy acknowledgement and training completion

Supplemental Publication Service
Lexipol's Supplemental Publication Service (SPS) streamlines the storage of your agency's content, giving you one place to access procedures, guidelines, general orders, training guides or secondary policy manuals.

- Electronically links department-specific procedural or supplemental content to your policy manual
- Provides electronic issuance and tracking for your agency's procedural or supplemental content
- Allows you to create Daily Training Bulletins against your procedural content
- Designed for standard operating guidelines, procedures, general orders or field guides

Law Enforcement Operations Procedures
To ensure consistent, effective and safe operations, a law enforcement agency's procedures should align with its policies and be accessible in an easy-to-understand format. Lexipol's Law Enforcement Procedure Guide and Framework, based on national best practices, gives you the guidance and a template to build such a procedure manual.

- More than 40 procedure guides designed to help you ensure your procedures follow important policy requirements and national best practices
- Each procedure provides an editable template to conveniently author new content and merge existing agency content
- Procedures are aligned with Lexipol policy requirements to address the most important operations of a law enforcement agency
- Well-structured and policy-aligned procedures enhance preparation for accreditation assessments

**Full Implementation**
Lexipol's Full Implementation Service is individually tailored for agencies who want a start-to-finish, comprehensive policy adoption assistance. Lexipol's experienced Professional Services staff will:

- Streamline the process of policy adoption
- Assist your agency in developing a policy manual that meets your unique needs, philosophy and project timeline
- Integrate pre-existing agency content into appropriate sections within the policy manual
- Use a proven structure of policy editing and content merging, which will provide a framework to expedite subsequent policy updates and Daily Training Bulletin administration
Overview

Lexipol empowers first responders and public servants to best meet the needs of their residents safely and responsibly. We are the experts in policy, training and wellness support, committed to improving the quality of life for all community members. Our solutions include state-specific policies, online learning, behavioral health resources, funding assistance, and industry news and information offered through the websites Police1, FireRescue1, EMS1 and Corrections1. Lexipol serves more than 2 million public safety and government professionals in over 8,000 agencies and municipalities. The services proposed below are designed to meet your agency’s specific goals and needs.

Annual Subscription

<table>
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<tr>
<th>QTY</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>DISC</th>
<th>DISC AMT</th>
<th>EXTENDED</th>
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<tbody>
<tr>
<td>1</td>
<td>Annual Law Enforcement Policy Manual &amp; Daily Training Bulletins w/ Supplemental Publication Service w/ Procedures (12 Months)</td>
<td>USD 20,240.00</td>
<td>15%</td>
<td>USD 3,036.00</td>
<td>USD 17,204.00</td>
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Subscription Line Items Total: USD 3,036.00 USD 17,204.00

Annual Subscription Discount: USD 3,036.00

Annual Subscription TOTAL: USD 17,204.00

One Time Implementation Fee

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<th>UNIT PRICE</th>
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<th>DISC AMT</th>
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<tr>
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<td>Law Enforcement Full Implementation</td>
<td>USD 20,207.00</td>
<td>USD 0.00</td>
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</table>

One-Time Line Items Total: USD 0.00 USD 20,207.00

One Time Implementation Fee TOTAL: USD 20,207.00

*Law Enforcement pricing is based on 70 Law Enforcement Sworn Officers.

Notes

Year 1 Total $37,411.00

Discount Notes

Annual 15% P1A Member Discount
3. Government Administration, Human Resources & Policy

3. Approval of Final BlocPower Electrification Contract

WHEREAS, on November 3, 2021, the Common Council passed Resolution 5.5, A Resolution to Authorize Mayor Svante Myrick to Designate a Program Manager for the City of Ithaca’s Energy Efficiency Retrofitting and Thermal Load Electrification Program, which approved the designation of the consortium led by Blocpower and including Taitem Engineering, Alturus, Guidehouse and Energetic Insurance, as Program Manager for the City’s Energy Efficiency Retrofitting and Thermal Load Electrification Program; and

WHEREAS, the City of Ithaca’s Director of Sustainability and the City Attorney have thereafter negotiated the attached agreement with Blocpower; now, therefore, be it

RESOLVED, That the Acting Mayor, on the advice of the City Attorney, is hereby authorized by the Common Council to sign the attached agreement with Blocpower designating Blocpower as Program Manager for the City’s Energy Efficiency Retrofitting and Thermal Load Electrification Program.
WHEREAS, the City of Ithaca (City) has demonstrated its desire and commitment to be a leader in sustainability and social equity, as exemplified by adoption of the Ithaca Green New Deal (IGND); and

WHEREAS, to implement the IGND, the City will need to adopt emissions reduction strategies to reach the goals stipulated in the resolution to adopt the IGND; and

WHEREAS, the implementation of the IGND will require reduction of greenhouse gas emissions from energy use in buildings and transportation; and

WHEREAS, to reduce emissions in new construction and major renovations the City adopted the Ithaca Energy Code Supplement in May 2021; and

WHEREAS, to further reduce emissions the City require a city-wide effort to maximize energy efficiency and reduce greenhouse gas emissions from energy use in existing buildings; and

WHEREAS, this effort would allow the creation of an estimated 400 jobs and the reduction of approximately 40% of the emissions from energy use in existing buildings, with particular focus on low and moderate income communities; and

WHEREAS, this effort will primarily focus on assisting low and moderate income communities to make their homes and businesses more energy efficient and resilient, by offering technical and financial assistance; and

WHEREAS, the city was able to assist local companies by obtaining commitments from private investors to work directly with local companies to upfront all capital costs related to energy efficiency retrofitting and substitution of thermal loads in existing buildings; and

WHEREAS, this coordinated effort to reduce greenhouse gas emissions involving local companies, the city government and the community will require specialized operational and financial expertise; and

WHEREAS, the city used a competitive process to identify the best candidate to manage this program, inviting local companies to partner with other organizations to participate in this program;

WHEREAS, the city received three proposals from local and out-of-state companies to participate in the program, including one proposal from a consortium of five companies; and
WHEREAS, the city reviewed the proposals using a predefined criteria resulting in one consortium being recommended to become program manager; and

WHEREAS, the recommended proposal is that represented by Blocpower, Taitem Engineering, Alturus, Guidehouse and Energetic Insurance, with support from Cornell Cooperative Extension, NYSERDA and US Department of Energy; therefore, be it

RESOLVED, That the Common Council approves the designation of the consortium led by Blocpower and including Taitem Engineering, Alturus, Guidehouse and Energetic Insurance, as Program Manager for the City’s Energy Efficiency Retrofitting and Thermal Load Electrification Program; and, be it further

RESOLVED, That the Common Council authorizes Mayor Svante Myrick to sign an agreement with said consortium designating them as Program Manager, including the following elements

Obligations of Program Manager:
Set up and manage a financing facility to fund the energy efficiency retrofit and thermal load electrification program.
Manage relationship with local contractors, while also acting as a contractor.
Manage grant application process for NYSERDA, NYS Department of Environmental Conservation, US Department of Energy and US Environmental Protection Agency.
Manage supply chain to drive economies of scale and cost reductions through bulk purchasing.
Assist the City with workforce development and training.
Work with the City in the implementation of outreach programs.

Commitments by the City of Ithaca:
Facilitate and assist the PM with outreach and customer acquisition.
Review and approve work-completion reports to guarantee quality assurance.
Supervise fair implementation of local company designation.
Supervise implementation of climate justice (LMI).
Supervise workforce development integration.
Assist with negotiations with NYSERDA, NYS Department of Environmental Conservation, US Department of Energy and US Environmental Protection Agency.

and, be it further

RESOLVED, That such agreement will not include any obligation of the City of Ithaca to provide loan guarantees, or include any obligation that would negatively affect the City’s financial liability and credit rating; and, be it further

RESOLVED, That the city will continue to support the implementation of the energy efficiency retrofitting and thermal load electrification program by convening stakeholders, developing partnerships, and assisting with outreach to the community.
To: Common Council  
From: Luis Aguirre-Torres, Director of Sustainability  
Date: November 3rd, 2021.  
RE: Resolution to Authorize Mayor Svante Myrick to Designate a Program Manager for the City of Ithaca’s Energy Efficiency Retrofitting and Thermal Load Electrification Program.

This memo provides additional information meant to support the Resolution to Authorize Mayor Svante Myrick to Designate a Program Manager for the City of Ithaca’s Energy Efficiency Retrofitting and Thermal Load Electrification Program.

On June 5th, 2019, the City of Ithaca’s Common Council adopted the Ithaca Green New Deal (IGND). This signaled the City’s commitment to fight climate change, economic inequality and racial injustice, while at the same time committing to enable a just transition to a carbon neutral economy by 2030.

The Ithaca Green New Deal goals included the following:

- Achieve carbon neutrality community-wide by 2030.
- Meet the electricity needs of City government operations with 100% renewable energy by 2025.
- Reduce emissions from City vehicle fleet by 50% by 2025.
- Ensure the benefits are shared among all local communities to reduce historical social and economic inequities.
- Facilitate a comprehensive public engagement process.

The City of Ithaca’s carbon emissions are estimated\(^1\) around 400,000 Mt CO\(_2\). It identifies stationary sources, including residential and non-residential buildings, and transportation as the top two sources of greenhouse gas (GHG) emissions.

The City of Ithaca’s emissions reduction strategy relies on four different concurrent programs, each one designed to tackle a portion of the City’s GHG emissions:

1. energy efficiency.
2. electrification.
3. decarbonization of the electric grid.
4. carbon capture and sequestration.

\[^1\] Current estimation based on available data (2021).
As part of the overall emissions reduction strategy, the Office of Sustainability has launched several interrelated emissions-reduction and climate justice programs:

- Community engagement.
- Community Choice Aggregation.
- Green workforce development.
- Energy efficiency
- Thermal Load Electrification.
- Material and organic waste management.

A key element of the overall IGND strategy, is the reduction of GHG emissions from stationary sources (buildings). This will require the implementation of a comprehensive, multi-year Energy Efficiency Retrofit and Thermal Load Electrification Program, focused on residential and non-residential buildings, with special emphasis on serving low- and moderate-income communities. This effort alone is expected to reduce GHG emissions in the City of Ithaca by at least 50%.

The main objective of the program is to gradually improve the overall energy performance of the city’s building stock, by assessing each individual building and determining potential energy efficiency improvements\(^2\), through energy retrofitting and the substitution of non-electric thermal loads and air conditioning systems, with air-source and ground-source heat pumps, and the installation of efficient lighting, photovoltaic and solar thermal systems, onsite storage, smart thermostats and smart meters.

This City of Ithaca’s building stock includes approximately 6,000 buildings, including single family and multifamily residential buildings, commercial, mixed-use, schools, churches, institutional and special purpose buildings\(^3\).

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\(^2\) Focused on minimizing energy consumption and peak loads.

\(^3\) This represents approximately one third of the total building stock in Tompkins County.
The Energy Efficiency Retrofit and Thermal Load Electrification Program is expected to be implemented in two stages:

- **Phase 1**: 1,000 residential and 600 non-residential units, with emphasis on LMI communities.
- **Phase 2**: 3,500 residential and 900 non-residential units, with emphasis on LMI communities.

It is the expectation that not all buildings will require deep envelope intervention or the electrification of thermal loads; however, the expectation is that **all buildings will be assessed prior to being issued a recommendation to improve overall energy performance** and eliminate carbon emissions, potentially including some of the following measures:

- Envelope intervention to maximize performance and reduce energy loads.
- Replacement of low performance windows.
- Installation of energy recovery ventilation systems.
- Efficient and automated LED lighting.
- Electrical panel and installation upgrades.
- Substitution of electric appliances with highly efficient, smart electric alternatives.
- Substitution of natural gas, propane and fuel oil space heating systems with cold-climate air-source and ground-source heat pumps for space heating and cooling.
- Substitution of natural gas and propane water heaters with heat pump water heaters with storage tanks.
- Substitution of natural gas and propane cooking stoves with electric induction cooktops.
- Substitution of natural gas and propane clothes dryers with electric heat pump dryers.
- Load flexibility, grid interacting, advance control systems.
- Solar PV and onsite energy storage systems.
- Bi-directional electric vehicle charging systems.

This program recognizes the effects the pandemic has had on the city’s economy, which has disproportionately affected disadvantaged communities, where unemployment or underemployment remain higher than in other groups. It is therefore the intention of this program to create a Green Workforce Development program to consolidate existing efforts and assist in the development and certification of local skilled workers.

The Office of Sustainability issued an RFP to identify a third party to manage the operational aspects related to the electrification program. This RFP was released on August 2nd, for which the City received four proposals, with one of them eventually withdrawing from the process.
The RFP required each proposal to include the following information:

- Cover letter. (Weight: 5%)
- Experience. (Weight: 30%)
- Financing strategy. (Weight: 30%)
- Strategy to address the needs of disadvantaged communities. (Weight: 10%)
- Strategy to assist with job creation. (Weight: 10%)
- Strategy to create economies of scale. (Weight: 15%)

The following rubric was used to objectively assess all proposals:

<table>
<thead>
<tr>
<th>Section: Executive Summary</th>
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<tbody>
<tr>
<td><strong>Qualifications</strong></td>
<td></td>
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<tr>
<td>10 if it meets all required qualifications.</td>
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<tr>
<td>5 if it meets some qualifications.</td>
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<tr>
<td>0 if it does not meet any qualifications.</td>
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<tr>
<td><strong>Operational experience</strong></td>
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<tr>
<td>10 if it offers proof of operational experience.</td>
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<tr>
<td>5 if experience is limited.</td>
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<tr>
<td>0 if there is not demonstrable operational experience.</td>
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<tr>
<td><strong>Financial Backing</strong></td>
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<tr>
<td>10 if the organization has the financial backing to support the operation.</td>
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<tr>
<td>5 if it does not have enough financial backing.</td>
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<tr>
<td>0 if no financial backing is offered.</td>
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<tr>
<td><strong>Proposed Approach</strong></td>
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<tr>
<td>10 if they present a viable approach.</td>
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<tr>
<td>5 if the approach is incomplete or not all viable.</td>
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<tr>
<td>0 if the approach is inviable or if it is not described.</td>
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<thead>
<tr>
<th>Section: Experience</th>
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<tbody>
<tr>
<td><strong>Energy efficiency</strong></td>
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<tr>
<td>10 if it offers proof of operational experience in energy efficiency.</td>
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<tr>
<td>5 if it offers limited experience.</td>
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<tr>
<td>0 if it has no experience in energy efficiency retrofits.</td>
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<tr>
<td><strong>Thermal load electrification</strong></td>
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<tr>
<td>10 if it offers proof of operational experience in thermal load electrification.</td>
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<tr>
<td>5 if it offers limited experience.</td>
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<tr>
<td>0 if it has no experience in thermal load electrification retrofits.</td>
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<tr>
<td><strong>Program Management</strong></td>
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<tr>
<td>10 if it offers proof of experience managing program managements.</td>
<td></td>
</tr>
<tr>
<td>5 if it offers limited experience.</td>
<td></td>
</tr>
<tr>
<td>0 if it has no experience.</td>
<td></td>
</tr>
<tr>
<td><strong>Partnerships</strong></td>
<td></td>
</tr>
<tr>
<td>5 if it offers established partnership options.</td>
<td></td>
</tr>
<tr>
<td>3 if it is limited.</td>
<td></td>
</tr>
<tr>
<td>0 if no partnerships have been established.</td>
<td></td>
</tr>
<tr>
<td><strong>Supply Chain</strong></td>
<td></td>
</tr>
<tr>
<td>10 if it offers proof of experience managing supply chains.</td>
<td></td>
</tr>
<tr>
<td>5 if it offers limited experience.</td>
<td></td>
</tr>
<tr>
<td>0 if it has no experience in supply chain management.</td>
<td></td>
</tr>
<tr>
<td><strong>Monitoring Tools</strong></td>
<td></td>
</tr>
<tr>
<td>5 if it offers proof of experience managing monitoring tools.</td>
<td></td>
</tr>
<tr>
<td>3 if it offers limited experience.</td>
<td></td>
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<tr>
<td>0 if it has no experience.</td>
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</tr>
<tr>
<td><strong>Cost Structure</strong></td>
<td></td>
</tr>
<tr>
<td>10 if it offers proof of experience managing cost structures.</td>
<td></td>
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<tr>
<td>5 if it offers limited experience.</td>
<td></td>
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<tr>
<td>0 if it has no experience.</td>
<td></td>
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<tr>
<td><strong>Quality Assurance</strong></td>
<td></td>
</tr>
<tr>
<td>10 if it offers proof of experience managing quality assurances.</td>
<td></td>
</tr>
<tr>
<td>5 if it offers limited experience.</td>
<td></td>
</tr>
<tr>
<td>0 if it has no experience.</td>
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<table>
<thead>
<tr>
<th>Section: Financing</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Experience</strong></td>
<td></td>
</tr>
<tr>
<td>10 if it demonstrates experience structuring and deploying financial products.</td>
<td></td>
</tr>
</tbody>
</table>
Using this rubric and the weight assigned to each part of the proposal, the Office of Sustainability produced the following table, containing the results of the RFP:

<table>
<thead>
<tr>
<th>Section: Disadvantaged Communities</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Financial structure</strong></td>
</tr>
<tr>
<td>10 if it provides a proposed financial structure.</td>
</tr>
<tr>
<td>5 if it is limited or incomplete.</td>
</tr>
<tr>
<td>0 if no proposal is included.</td>
</tr>
<tr>
<td><strong>Risk Mitigation</strong></td>
</tr>
<tr>
<td>10 if it provides a proposed financial risk mitigation strategy.</td>
</tr>
<tr>
<td>5 if it is limited.</td>
</tr>
<tr>
<td>0 if it is no included.</td>
</tr>
<tr>
<td><strong>Cost of Capital</strong></td>
</tr>
<tr>
<td>20 if it provides an indication of how to reduce cost of capital, 10 if it is limited, 0 if it is not included.</td>
</tr>
<tr>
<td><strong>State and Federal Incentives</strong></td>
</tr>
<tr>
<td>5 if it demonstrates ability to use state and federal incentives, 3 if it is limited or incomplete, 0 if it is not included.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section: Job Creation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Proposal</strong></td>
</tr>
<tr>
<td>10 if it has a clear proposal on how to develop a workforce.</td>
</tr>
<tr>
<td>5 if limited.</td>
</tr>
<tr>
<td>0 if not included.</td>
</tr>
<tr>
<td><strong>LMI</strong></td>
</tr>
<tr>
<td>10 if it has a proposal on how to assist LMI communities to develop skills and training.</td>
</tr>
<tr>
<td>5 if limited.</td>
</tr>
<tr>
<td>0 if no included.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section: Economies of Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strategy</strong></td>
</tr>
<tr>
<td>10 if it offers a strategy to create and take advantage of economies of scale.</td>
</tr>
<tr>
<td>5 if limited.</td>
</tr>
<tr>
<td>0 if not included.</td>
</tr>
<tr>
<td><strong>Bulk Purchasing Power</strong></td>
</tr>
<tr>
<td>10 if it offers a strategy to create and benefit from bulk purchasing power.</td>
</tr>
<tr>
<td>5 if limited.</td>
</tr>
<tr>
<td>0 if not included.</td>
</tr>
<tr>
<td><strong>Relationships with Manufacturers</strong></td>
</tr>
<tr>
<td>10 if already has relationships with manufacturers</td>
</tr>
<tr>
<td>5 if limited</td>
</tr>
<tr>
<td>0 if not included.</td>
</tr>
</tbody>
</table>

Using this rubric and the weight assigned to each part of the proposal, the Office of Sustainability produced the following table, containing the results of the RFP:
Based on the above results, the Office of Sustainability recommends the Mayor and Common Council to authorize Mayor Myrick to sign a contract with the consortium led by Blocpower recognizing them as Program Manager of the Energy Efficiency Retrofitting and Thermal Load Electrification Program. The obligations and responsibilities of both Blocpower as Program Manager and the City of Ithaca are summarized in the accompanying Resolution.
CONTRACT FOR SERVICES

Made this ___________ day of ________________ (the "Effective Date") between:

The CITY OF ITHACA, a municipal corporation with offices at 108 East Green Street, Ithaca, New York, hereinafter called the "City",

And

BLOCPOWER LLC, a limited liability corporation with offices located at 1623 Flatbush Ave. #222, Brooklyn, NY 11210, hereinafter called the "Contractor" enter into this Contract for Services (this "Agreement")

WITNESSETH:

WHEREAS, the City requires certain services to be performed more particularly set forth in Schedule A attached hereto and made a part thereof, and

WHEREAS, the Contractor is desirous of performing such services and the City is desirous of contracting with the Contractor to provide such services;

NOW, in consideration of the covenants, conditions, and provisions contained herein, it is hereby AGREED as follows:

1. The Contractor agrees to perform the services set forth in Schedule A attached hereto and made a part hereof in a manner and at such time or times as is reasonably satisfactory to the City. For any additional services requested by the City that are not included in Schedule A, City or Contractor may submit a Statement of Work, a form of which is attached hereto as Exhibit A. The Statement of Work and the tasks and fees included therein shall be binding on both parties when signed by both parties and subject to the terms and conditions of this Contract for Services.

2. Fee

The Contractor shall be paid an Administrative Fee, as detailed in the next paragraph, not to exceed $100,000 for providing such services as specified in Schedule A and administration of the Program. The Contractor specifically agrees that the Contract shall be deemed executory only to the extent of the monies available, and no liability shall be incurred by the City beyond monies available for this purpose. The Contractor further agrees that the comparatively small scale of the fee as compared to the large scale of operations expected of Contractor under this Contract is a reflection of Contractor’s ability, without reliance on this contract, to engage in transactions with individual property owners and others and in part to obtain funding for those transactions from other sources including other levels of government.

The Contractor shall be paid the administrative fee of $20,000 for every two hundred (200) buildings that are brought into and successfully electrified under the Program, as defined for each building as having signed an agreement for financing, construction, equipment purchase, and/or construction management by the Contractor, its affiliates and/or partner organizations. Buildings shall be counted on a physical structure basis.
Contractor shall provide the City of Ithaca with an annual invoice which will be paid pro-rata based on the number of buildings electrified, along with an Annual Report verifying the total number of buildings brought into the program and that have completed the electrification process under this Program. The Annual Report shall be submitted to the Director of Sustainability for review and approval by the Common Council by the 1st of December each year.

3. The relationship of the Contractor to the City is that of an independent contractor. As such, the Contractor shall receive no fringe benefits from the City including but not limited to medical insurance, retirement benefits, workers’ compensation, disability, unemployment insurance or any other benefits or remuneration other than that set forth in paragraph 2 hereinabove.

4. Term.
   a. Initial Term. The term of this Agreement (the "Initial Term") commences on the Effective Date and continues thereafter for five (5) years, unless and until sooner terminated as provided in Section 5 by either Party. Upon mutual written agreement this Contract may be renewed for subsequent periods upon the expiration of the initial term.

5. Termination.
   a. Without Cause. City, in its sole discretion, may terminate this Agreement at any time after the date that is twenty-one (21) months from the Effective Date, without cause, by providing at least 90 days' prior written notice of the same to the Contractor.

   b. With Cause. This Agreement may be terminated before the expiration date of the Term on written notice:

      (i) by either Party, if the other Party materially breaches any provision of this Agreement and either the breach cannot be cured or, if the breach can be cured, it is not cured by the breaching Party within 30 days after the breaching Party's receipt of written notice of such breach; or

      (ii) by Contractor, if City fails to pay any amount when due hereunder and such failure continues for 30 days after Customer’s receipt of written notice of nonpayment.

   c. Effect of Termination

In the event of termination of this contract by either party, with or without cause:

   (i) the Contractor shall be paid the Administrative Fee pro rata for the satisfactory work performed to date of termination; and

   (ii) as additional consideration, except in the event of Contractor breach (in the sole event that the City persists in asserting the same), the City shall pay to the Contractor a termination fee in an amount equal to Ten Thousand Dollars ($10,000) ("Termination Fee"). The parties intend the Termination Fee to be liquidated damages constituting compensation, and not a penalty. The parties acknowledge and agree that damages resulting from termination pursuant to this Section would be impossible or very difficult to accurately estimate, and that the Termination Fee is a reasonable estimate of the anticipated or actual harm that may arise from such termination. The City’s payment of the Termination Fee is
the City’s sole liability and entire obligation and the Contractor’s exclusive remedy for any termination.

(iii) the City’s liability to any and all putative third-party beneficiaries of this contract, if any, shall be strictly limited, in aggregate, to a maximum amount equal to the Termination Fee.

6. City hereby irrevocably disclaims, for no additional consideration, its entire right, title, and interest throughout the world in and to all intellectual property, financial proceeds, and physical assets legitimately obtained, created, or developed by the Contractor under this Agreement.

7. The Contractor shall defend, indemnify, and hold the City harmless (including but not limited to reasonable attorney’s fees and costs) from any liabilities and claims against the City arising from (i) the negligence or willful misconduct of the Contractor or (ii) except to the extent of the City’s indemnity obligation set out in the next sentence, any claims arising out of the program operations or Contractor’s provision of services associated with this Agreement, including any claims brought against or made upon the City by or on behalf of one or more parties claiming to be third-party beneficiaries to this contract, whether sounding in tort, contract, equity, or otherwise. The City shall defend, indemnify, and hold the Contractor harmless from any claims against the Contractor arising out of the gross negligence or willful misconduct of the City.

8. Liability Coverage: The contractor shall obtain, and maintain at all times during the term of this Agreement, liability insurance protecting Contractor with the City of Ithaca being named as an additional insured as follows:

   (A) Commercial General & Professional Liability Coverage
       
       Bodily Injury and Property Damage Limit $1,000,000 each occurrence
       Medical Expenses Limit $5,000 each occurrence
       Personal & Adv. Injury Limit $1,000,000 each occurrence
       General Aggregate $2,000,000 each occurrence
       Products/Comp/Op. Limit $2,000,000 each occurrence

       Such insurance shall cover damages because of bodily injury, including personal injury, sickness, disease, or death, and from claims or damages because of injury to or destruction of property, including loss of use therefrom. The City of Ithaca shall be named as an additional insured on a direct primary basis under the policy issued for these coverages.

   (B) Excess/Umbrella Liability $5,000,000 each occurrence
       $5,000,000 aggregate

9. The Contractor shall not discriminate against any employee, applicant for employment, subcontractor, supplier of materials or services or program participant because of actual or perceived age; creed; color; disability; domestic violence victim status; ethnicity; familial status; gender; gender identity or expression; height; immigration or citizenship status; marital status; military status; national origin; predisposing genetic characteristics; race; religion; sex; sexual orientation; socioeconomic status; or weight.
10. Workers’ Compensation and Disability Coverage: A condition for entry into this agreement is the presentation by the Contractor to the City of Ithaca of either proof that the Contractor provides the levels of workers’ compensation and disability coverage required by the State of New York or that the Contractor is not required to provide such coverage.

11. In accordance with the provisions of Section 109 of the New York General Municipal Law, the Contractor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this agreement to any person or corporation other than affiliates who are under common control of the Contractor without the prior written consent of the City.

12. This Contract shall be governed under the Charter and Municipal Code of the City of Ithaca and the laws of the State of New York without regard to, or the application of New York State’s choice of law provisions. The parties further agree that the Supreme Court of the State of New York, held in and for the County of Tompkins shall be the forum to resolve disputes arising out of either this agreement or work performed according thereto, and the parties consent to the jurisdiction of such court.

13. This contract contains the final and entire agreement and understanding between the parties and is the complete and exclusive statement of its terms. Except for the Data Agreement, dated January 3, 2022, between the parties, this contract supersedes all prior agreement and understandings, whether oral or written, in connection therewith. This Contract for Services and Schedule A included therein are to be read as a whole, but nothing contained in Schedule A or other documents shall override or modify the terms of this Contract for Services.

14. No Third-Party Benefit. This Agreement is entered into solely for the benefit of the only two Parties to this Agreement, City of Ithaca and Blocpower LLC. No other party, person, corporation, or entity shall have any right, benefit, or interest in, under or because of this Agreement. Accordingly, there shall be no intended or unintended benefit to any third party and enforcement of this Agreement is limited to the Parties to this Agreement.

15. This Contract may be executed in two or more counterparts, each of which shall be deemed an original and all of which, taken as a whole, shall constitute one and the same Contract for Services.

CONTRACTOR:     CITY OF ITHACA:

BY: _________________________   BY: _________________________
City of Ithaca Acting Mayor
DATE: _______________________   DATE: _______________________

BY: __________________________
Department of Planning Head
DATE: ________________________

APPROVAL AS TO FORM:

_________________________   DATE: __________________
City Attorney

CITY CONTROLLER:

________________________________________ DATE: _____________________
City Controller

CITY ADMINISTRATION COMMITTEE

________________________________________ DATE: _____________________
Chairperson
Exhibit A

Statement of Work

To: City of Ithaca

From: BlocPower LLC

This is a Statement of Work as referenced in that certain Contract for Service, dated as of [___________, 20____, between the City of Ithaca, (the "City"), and BlocPower LLC, a New York limited liability company (the "Contractor") (the "Service Agreement"). Terms used herein but not otherwise defined shall have the meaning assigned to such terms in the Service Agreement. This Statement of Work is governed by and subject to the terms, conditions and obligations of the Service Agreement.

City and Contractor agree that Contractor will perform the following tasks:

<table>
<thead>
<tr>
<th>Tasks:</th>
<th>Timing:</th>
<th>Fee:</th>
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<tbody>
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</table>

CONTRACTOR:

BY: _________________________
DATE: _______________________

CITY OF ITHACA:

BY: _________________________
City of Ithaca Mayor
DATE: _______________________

BY: _________________________
Department of Planning Head
DATE: _______________________

SCHEDULE A

ENERGY EFFICIENCY RETROFITTING AND THERMAL LOAD ELECTRIFICATION PROGRAM (EER-TLE)

SERVICES AND TERMS OF COLLABORATION

PROGRAM MANAGER

A. Blocpower LLC., also in representation of, but not limited to, consulting engineering firms, project financiers, credit enhancement providers and other subcontractors, as may be necessary from time to time in performance program.

CUSTOMER

A. City of Ithaca, N.Y.

PURPOSE OF THE CONTRACT

A. Support the City of Ithaca’s strategy to achieve full decarbonization of its building stock, by managing a large-scale, multi-year program to retrofit and electrify thermal loads, as well as the deployment of solar photovoltaic and on-site energy storage solutions in residential, commercial, mixed use and special purpose buildings in the City of Ithaca.

B. Secure complementary financing, manage relationships and/or assist in negotiations with private investors, contractors, engineering firms, technology companies, government agencies, community-based organizations and workforce development organizations.

PROGRAM MANAGER RESPONSIBILITIES

A. Set up and manage a financing facility to fund the energy efficiency retrofit and thermal load electrification program, confirming in writing the availability of funds for the implementation of the program.

B. Select, through a competitive process, at least four local companies or local contractors with whom to partner for the installation of building retrofit and energy projects and services ancillary thereto within the program.

C. Develop and document standard processes for operations, service delivery, and reporting.

D. Onboard partners and contractors to utilize standardized processes as documented.
E. Manage relationships and/or assist the City in managing relationships with local companies, trade and labor unions, community-based organizations, investors, state and federal government agencies, and technology partner companies.

F. Manage supply chain to drive economies of scale and achieve overall cost reductions for equipment, parts, labor and other technology solutions.

G. Manage and assist the City of Ithaca with grant opportunity identification and application, with state and federal government agencies, including but not limited to the following: NYSERDA, NYS Department of Environmental Conservation, US Department of Energy, and US Environmental Protection Agency.

H. Support the City of Ithaca and participate in the development and implementation of workforce development programs, including pre-apprenticeship, apprenticeship, training, certification and/or credentialing programs.

I. Responsibility for the design and implementation of marketing, outreach, and community engagement programs.

J. Act as primary party to receive inbound inquiries about projects and implementation within the program and provide information and follow up to such parties.

K. The development of an independent website dedicated to this program, where those interested can find specific information and sign up for the program. The new website will be hosted, maintained, and administered by the Program Manager.

L. Prepare and present quarterly summary reports to the Director of Sustainability and/or the City of Ithaca Common Council.

M. Prepare and present a comprehensive annual report to the Director of Sustainability, Office of the Mayor and Common Council.

N. Support the City of Ithaca in negotiations with the electric utility company and Public Service Commission.

RESPONSIBILITIES OF THE CITY OF ITHACA

A. Facilitate and assist the Program Manager with the design and implementation of community outreach programs, with the purpose of facilitating and reducing the cost of customer acquisition.

B. Designate a primary point of contact within or with direct reporting to the Sustainability Director to work with the Program Manager.

C. Act as primary party to receive inbound inquiries about the program structure itself, but not about individual contracts or services provided under the program.

D. Suggest at least four (4) physical locations that the Program Manager may be able to secure at its expense in the city for people to obtain information and sign up for the program. Such physical locations will not be maintained by the City of Ithaca. The locations will not be on City of Ithaca property unless permission is given by the City’s Mayor.

E. Provide limited, conceptual support to the Program Manager in the development of an independent website dedicated to this program, where those interested can find specific information and sign up for the program. The new website will be hosted, maintained,
and administered by the Program Manager. This website will be referred to as the Program Manager Portal. The Program Manager will only accept program registrations through the Program Manager Portal. The City may create a link on the City of Ithaca’s website to this Portal.

F. Advise the Program Manager in the fair implementation of local company selection and work designation, including the distribution of work orders among local companies and contractors that is reasonably satisfactory to the Program Manager and have completed the Program Manager’s competitive review process.

G. Supervise the implementation of the City of Ithaca’s climate justice program, according to guidelines provided by the sustainability office.

H. Present to the Office of the Mayor and Common Council quarterly updates on the status of the program.

I. To the extent that the City, in its sole discretion, may determine, assist local workforce organizations in the development and implementation of workforce development programs, including pre-apprenticeship, apprenticeship, training, certification and/or credentialing programs.

J. Share building, economic and demographic information with the Program Manager, following the signing of a Data Sharing Agreement with Program Manager.

K. Advise the Program Manager regarding grant opportunity identification and application, with state and federal government agencies, including but not limited to the following: NYSERDA, NYS Department of Environmental Conservation, US Department of Energy, and US Environmental Protection Agency.

L. Coordinate all internal interactions and collaboration with the Department of Planning and Development, Director of Planning and Development Ithaca Urban Renewal Agency, and Department of Public Works.

M. Support the relationship with the electric utility company and Public Service Commission and provide the Program Manager with updates and information that will impact the program.

N. To the extent that the City, in its sole discretion, may determine, offer exclusive incentives, recognition, and communications to building owners who submit their registration through the portal.

O. Assist the Program Manager in developing and further strengthening its relationship with local stakeholders, including but not limited to, Tompkins County, other municipalities within the County, Ithaca-area community-based organizations, business associations and chambers, economic development organizations and academic institutions.

P. Evaluate in good faith working with BlocPower on an “opt-out” style Community Choice Aggregation program to reduce energy bills to City residents.

PROGRAM PARTNERSHIPS
A. Blocpower shall provide the City of Ithaca with copies of all contracts, agreements, commitments and Memorandum of Understandings which Blocpower has entered into and enters into with parties in relation to their work with the City of Ithaca’s Energy Efficiency Retrofitting and Thermal Load Electrification Program. Blocpower shall make the Director of Sustainability aware of any such agreement and partnership as soon as practicable. Blocpower shall also make the Director of Sustainability aware of any potential partnership and include the Director in the planning and identification of such partnerships.

B. All such agreements, contracts and other program partnerships, including implementation partnerships with local companies and contractors, labor and trade unions and technology companies, will be managed by the Program Manager

**PROGRAM IMPLEMENTATION: PROGRAM MANAGER**

A. The Program Manager will endeavor to maximize thermal efficiency, minimize carbon emissions and electrify thermal loads in all buildings in the City of Ithaca. This includes the following functions: identification, negotiation, design, procurement, implementation, financing and maintaining targeted building retrofits.

**PROGRAM IMPLEMENTATION: CITY OF ITHACA**

A. The City of Ithaca will use its convening power to assist the Program Manager in customer acquisition, providing building level data, offering local support, helping identify underserved communities and implementing a community engagement and education program to attract building owners, facility managers and tenants to sign up and participate in the program.

**IDENTIFIED APPROACH**

A. Leverage a combination of advanced technologies, including but not limited to, air source heat pumps, ground source heat pumps, heat pump water heaters, insulation, air sealing, LED lighting, electrical upgrades, energy efficient electric appliances, health/safety improvements, water-saving measures, rooftop solar PV systems, on-site energy storage, and electric vehicle charging infrastructure to decarbonize Ithaca’s building stock, while increasing health, safety, comfort, and convenience for those in the community.

B. Retrofit projects are to be implemented using a turn-key, one-stop-shop approach, following the Program Manager proposed approach to lead building owners, facility managers and tenants through a step by step process, generally consisting of:
   - Opportunity identification
   - Building owner outreach / inbound response
   - Initial designs / Scope of Work
   - Project approval
   - Financing (via Program Manager, partners, or building owner funds)
- Construction management
- Commissioning/owner training
- Operations
- Measurement and Verification

C. Offer innovative financing offerings to cover the cost of retrofits, as an attractive alternative to traditional “loan(s)/grant(s)/cash” financing. Extend payments out to 15 to 20 years, match savings to customer payments to the extent possible, and include system O&M/warranties as appropriate. Lending, leasing and grant programs available will be defined at the beginning of the program, and may be updated at the program proceeds.

D. Present an application-based program for home and building owners to be part of the first wave of the “electrification initiative”. This is a community engagement (solarize-style) campaign where a list of building owners who want to move forward is created and used to drive economies of scale on procurement, installation, and financing.

E. Datasets will be provided, when available, by the City of Ithaca GIS and Buildings Department, and will be used in combination with datasets provided by other organizations, including Cornell University, Historic Ithaca and other community-based and business organizations

**REPORTING REQUIREMENTS**

A. The Program Manager and the Director of Sustainability will collaborate in providing quarterly (first week of April, July and October) and annual (December) reports, within 90 days after such dates, on the progress of the program, including:

- Goals, milestones and progress per reporting period including:
  i. Outreach efforts, including the number of building owners and/or representatives contacted, stakeholders engaged, and events held.
  ii. Number of buildings engaged and projects completed by Census Tract.
  iii. Estimated energy savings and GHG reductions in aggregate for completed projects.
- Financing and grant opportunities.
- Updates on negotiations and collaboration with community-based organizations, local companies and contractors, government agencies and investors.
- Barriers, obstacles and intervention opportunities.
- Requirements and expected progress for the following period.
3. Government Administration, Human Resources & Policy
   .4 Adopt Report and Recommendation of the Redistricting Working Group

WHEREAS, every ten years, following the decennial federal census, the City of Ithaca reapportions its Common Council by adopting new ward boundaries to be set forth in section 3 of the City Charter, and

WHEREAS, the City formed a Redistricting Working Group composed of one member from each of the City’s five wards to develop new ward boundaries to be proposed to Common Council for adoption; and

WHEREAS, the Redistricting Working Group held biweekly meetings to examine the City’s population changes, consider the relevant statutory requirements, generate potential ward maps for discussion, and solicit input from the public and relevant stakeholders regarding proposed ward boundaries; and

WHEREAS, the Redistricting Working Group submitted its written report and unanimous recommendation for new ward boundaries to the Acting Mayor and Common Council on April 19, 2022, and delivered a presentation of the same at a meeting of the Common Council held on May 5, 2022; now be it hereby

RESOLVED, That Common Council ADOPTS the report and recommendation of the Redistricting Working Group in full, and be it further

RESOLVED, That Common Council intends to implement the report and recommendation of the Redistricting Working Group following a public hearing and further discussion by Common Council.
3. Government Administration, Human Resources & Policy

.5 A Local Law Authorizing the Use of Videoconferencing for Meetings of Public Bodies

WHEREAS, Part WW of Chapter 56 of the Laws of 2022 amended the public officers law to permit the use of videoconferencing by public bodies under certain circumstances, and

WHEREAS, the City has employed videoconferencing as authorized by executive order and statute throughout the course of the COVID-19 pandemic, and found that videoconferencing has positively impacted public access and participation in public meetings, reduced burdens on City staff, and increased transparency in the important work of the City’s various public bodies, and

WHEREAS, the City desires to adopt videoconferencing procedures consistent with sections 103 and 103-a of the public officers law on behalf of all of its public bodies; now therefore,

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

Local Law No. 2022 –

Section 1. Legislative Findings, Intent, and Purpose

The Common Council makes the following findings:

1. Videoconferencing is a valuable tool that has the potential to increase public engagement with City processes, reduce burdens on City staff, and provide flexibility for members of public bodies in the event that extraordinary circumstances or emergencies prevent in-person attendance at public meetings.

2. The City has employed videoconferencing throughout the COVID-19 pandemic and developed the processes and expertise to implement its use on an ongoing basis.

3. The City and the public will benefit from the continued availability of videoconferencing for future meetings of public bodies in accordance with the procedures adopted in this Local Law.

Based upon the above findings, the intent and purpose of this Local Law is to authorize all public bodies of the City to use videoconferencing for public meetings, and to promulgate a uniform set of written procedures governing videoconferencing that is consistent with sections 103 and 103-a of the public officers law.

Section 2. Videoconferencing and Remote Attendance for Local Public Bodies.
A. Each and every public body is authorized, but not required, to use videoconferencing to conduct its business as permitted by sections 103 and 103-a of the public officers law and pursuant to the requirements of this Local Law.

B. The following requirements and procedures shall apply whenever videoconferencing is employed by a public body.

1. At least the minimum number of members of the public body necessary to constitute a quorum of the public body must be physically present at one or more location(s) open to the public to attend in person.

2. Each member of the public body must be physically present unless such member is unable to be physically present due to extraordinary circumstances, which shall include but not be limited to disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting. These extraordinary circumstances requirement shall be liberally construed to the maximum extent permitted by law.

3. The chair or other presiding officer of the public body shall determine whether extraordinary circumstances are present, except that any member of the public body disagreeing with the determination of the chair or presiding officer may move for a vote to override the determination of the chair or presiding officer. The determination shall be overridden upon the affirmative vote of a majority of the members of the public body in attendance. The member seeking to attend remotely due to extraordinary circumstances shall not be entitled to move to override the determination of the chair or presiding officer, or to vote if so moved.

4. Except in the case of executive sessions, members of the public body attending by videoconference shall be able to be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. A member attending by videoconference shall be entitled to participate in the meeting, cast votes, and take any such other action as if the member were physically present.

5. The minutes of any meeting involving videoconferencing shall include which, if any, members participated remotely and shall be made available to the public pursuant to section one hundred six of the public officers law.

6. If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available and identify the physical location(s) for the meeting where the public can attend in person.

7. Each meeting conducted using videoconferencing shall be recorded, and such recordings shall be posted or linked on the public website of the public body within five business days following the meeting. Such recordings shall remain available for a minimum of five years and shall be transcribed upon request.
(8) The public body shall not be required to record or transcribe any executive session portion of the meeting or any other portion of the meeting which the public is not entitled to attend.

(9) If videoconferencing is used to conduct a meeting, the public body shall provide the opportunity for members of the public to view such meeting via video, and, where public comment or participation in the meeting is authorized or required, to comment or participate via videoconference in real time. Videoconferencing, where employed, shall afford the same opportunity for public participation or testimony as in-person participation or testimony.

(10) Staff members and any other participants in a meeting employing videoconferencing may be permitted, at the sole discretion of the chair or other presiding officer, to participate, comment, and/or testify by videoconference or through such other remote means as enable the participant to be contemporaneously heard during the meeting. This subsection shall not apply to members of the public body or members of the public engaging in public comment or participation governed by other provisions of this Local Law.

(11) The public body shall be authorized, but not required, to adopt additional written procedures governing member and public attendance consistent with this Local Law. This Local Law and such additional written procedures, if any, as may be adopted by the public body shall constitute the written procedures of the public body for the purposes of section 103-a(2)(b) of the public officers law and shall be conspicuously posted on the public website of the public body.

(12) Any public body employing videoconferencing must maintain an official website.

(13) Videoconferencing and broadcast of meetings shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For purposes of this Local Law, “disability” shall have the meaning defined in section two hundred ninety-two of the executive law.

C. Notwithstanding the foregoing, the in-person participation requirements of subdivision B of this Local Law shall not apply during a state disaster emergency declared by the governor pursuant to section twenty-eight of the executive law, or a local state of emergency proclaimed by the Mayor or the chief executive of Tompkins County, if the public body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in-person meeting. In the event of such a determination, no physical location need be noticed or made available to the public for in-person attendance, and all members and non-members may participate remotely.
Section 3. Severability Clause.

Severability is intended throughout and within the provisions of this Local Law. If any section, subsection, sentence, clause, phrase, or portion of this Local Law 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 Local Law.

Section 4. Effective and Operative Date.

This Local Law shall be effective immediately after filing in the office of the Secretary of State.
MEMORANDUM

To: Common Council
Date: May 17, 2022
Re: Open Meetings Law Amendments Permitting Videoconferencing in Some Circumstances

As part of the 2022 budget legislation, New York State has amended the state Open Meetings Law (OML) to permit local governments to utilize videoconferencing under certain circumstances when conducting public meetings. This memorandum examines the circumstances under which a member of a public body (for example, an Alderperson, Commissioner, or Board Member) is permitted to participate in a meeting via videoconferencing. This memorandum does not address any other requirements or procedures of the new law.

Relevant Legal Authority

Section 103-a of the Public Officers Law (POL) governs the use of videoconferencing for public meetings. The City is in the process of adopting a local law that will implement the state law. Two specific provisions govern a member’s ability to attend a meeting by videoconference:

POL § 103-a(2)(c):
members of the public body shall be physically present at any such meeting unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances, as set forth in the resolution and written procedures adopted pursuant to paragraphs (a) and (b) of this subdivision, including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting;

POL § 103-a(3):
The in person participation requirements of paragraph (c) of subdivision two of this section shall not apply during a state disaster emergency declared by the governor pursuant to section twenty-eight of the executive law, or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to section twenty-four of the executive law, if the public body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in person meeting.

The full text of Part WW of Chapter 56 of the Laws of 2022, which enacted these changes, is reproduced at Appendix A to this memorandum.
**Analysis**

**POL § 103-a(2)(c)—Extraordinary circumstances.**

The new law permits a member of a public body to participate by videoconference only under “extraordinary circumstances” that would preclude the member from attending the meeting in person. Unlike under the prior COVID-19 emergency orders and related laws, a member is not entitled to attend meetings remotely. The strong presumption is that all members will attend meetings in-person. If “extraordinary circumstances” are not present, a member who is not physically present will be considered absent from the meeting and not entitled to vote or participate in their capacity as a member.

To qualify as “extraordinary circumstances,” the event must be (1) “significant or unexpected” and (2) “preclude[] the member’s physical attendance at [the] meeting.” The law provides three non-exclusive examples of extraordinary circumstances that would permit remote attendance:

- Disability
- Illness
- Caregiving responsibilities

Other examples of “extraordinary circumstances” that would likely qualify under the law include, but are not limited to:

- A car accident
- An unexpected school cancellation, if the member is responsible for childcare
- An injury or other significant or unexpected medical event, either to the member or someone for whom the member is responsible for providing care
- A severe storm or other unexpected conditions that make it unsafe for the member to travel to the location of the meeting
- An unexpected, pressing need to travel, such as for a family emergency

Examples of situations which would likely not qualify as “extraordinary circumstances” include:

- A vacation or other pre-planned travel
- Traffic or other routine travel delays
- Scheduling conflicts with the member’s regular employment
- A routine, previously scheduled medical exam or other such appointment
- A wedding, party, sporting event, or graduation ceremony

This list is not intended to be exhaustive: members are encouraged to consult with the staff member assigned to their public body and with the Attorney’s Office for further guidance.

Notwithstanding the foregoing, a quorum of the public body must meet in-person at a physical location open to the public regardless of whether some members are attending by videoconference as permitted by this section. For example, for a five-member board, at least three members must meet in-person at a location open to the public to attend. Up to two other members would be able to participate by videoconference if they meet the “extraordinary circumstances” requirement described above.
POL § 103-a(3)—State or local emergency.

The entire public body is authorized to meet via videoconference only if (1) the Governor declares a “state disaster emergency” under applicable law, such as the COVID-19 emergencies declared by the Governor in 2020, 2021, and 2022, or (2) the Mayor or County Executive declares a “local state of emergency” under applicable law. In addition to the declaration of an emergency, the public body must determine that whatever circumstances led to the emergency declaration also impair the public body’s ability to meet in person.

Potential examples of circumstances in which this provision may apply could include, but not be limited to, the declaration of an emergency due to a public health crisis similar to COVID-19, a natural disaster, or civil unrest.

Conclusion

These amendments provide Ithaca’s public bodies with greater flexibility to conduct public meetings utilizing technology in the event of unforeseen or difficult circumstances. However, it does not permit public bodies to routinely conduct public business through videoconferencing as was the case during the worst days of the COVID-19 pandemic. City staff and the Attorney’s Office are available to help guide members as the City returns to the ordinary course of business and implements these new changes to the Open Meetings Law.
Appendix A
Part WW of Chapter 56 of the Laws of 2022

PART WW

Section 1. Subdivision (c) of section 103 of the public officers law, as added by chapter 289 of the laws of 2000, is amended to read as follows:

(c) A public body [that uses videoconferencing to conduct its meetings] shall provide an opportunity for the public to attend, listen and observe [at any site] meetings in at least one physical location at which a member participates.

§ 2. The public officers law is amended by adding a new section 103-a to read as follows:

§ 103-a. Videoconferencing by public bodies. 1. For the purposes of this section, "local public body" shall mean a public corporation as defined in section sixty-six of the general construction law, a political subdivision as defined in section one hundred of the general municipal law or a committee or subcommittee or other similar body of such entity, or any entity for which a quorum is required in order to conduct public business and which consists of two or more members, performing a governmental function for an entity limited in the execution of its official functions to a portion only of the state, or a political subdivision of the state, or for an agency or department thereof. For the purposes of this section, a public body shall be as defined in subdivision two of section one hundred two of this article.

2. A public body may, in its discretion, use videoconferencing to conduct its meetings pursuant to the requirements of this article provided that a minimum number of members are present to fulfill the public body's quorum requirement in the same physical location or locations where the public can attend and the following criteria are met:

(a) the governing board of a county, city, town or village has adopted a local law, or a public body has adopted a resolution, or the senate and assembly have adopted a joint resolution, following a public hearing, authorizing the use of videoconferencing:
   (i) for itself and its committees or subcommittees; or,
   (ii) specifying that each committee or subcommittee may make its own determination;
   (iii) provided however, each community board in a city with a population of one million or more shall make its own determination;

(b) the public body has established written procedures governing member and public attendance consistent with this section, and such written procedures shall be conspicuously posted on the public website of the public body;

(c) members of the public body shall be physically present at any such meeting unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances, as set forth in the resolution and written procedures adopted pursuant to paragraphs (a) and (b) of this subdivision, including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting;

(d) except in the case of executive sessions conducted pursuant to section one hundred five of this article, the public body shall ensure that members of the public body can be heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon;

(e) the minutes of the meetings involving videoconferencing shall include which, if any, members participated remotely and shall be avail-
able to the public pursuant to section one hundred six of this article;

(f) if videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available, and identify the physical location for the meeting where the public can attend;

(g) the public body shall provide that each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the public website of the public body within five business days following the meeting, and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request;

(h) if videoconferencing is used to conduct a meeting, the public body shall provide the opportunity for members of the public to view such meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized and shall ensure that videoconferencing authorizes the same public participation or testimony as in person participation or testimony; and

(i) a local public body electing to utilize videoconferencing to conduct its meetings must maintain an official website.

3. The in person participation requirements of paragraph (c) of subdivision two of this section shall not apply during a state disaster emergency declared by the governor pursuant to section twenty-eight of the executive law, or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to section twenty-four of the executive law, if the public body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in person meeting.

4. No later than January first, two thousand twenty-four, the committee on open government, created by paragraph (a) of subdivision one of section eighty-nine of this chapter, shall issue a report to the governor, the temporary president of the senate, the speaker of the assembly, the chair of the senate standing committee on local government, the chair of the senate standing committee on investigations and government operations, the chair of the assembly standing committee on local governments, and the chair of the assembly standing committee on govern-

§ 3. Notwithstanding the provisions of article 7 of the public officers law to the contrary, for sixty days after the effective date of this act any public body shall be authorized to meet and take such action authorized by law without permitting in public-in-person access to meetings and authorize such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.

§ 4. This act shall take effect immediately and shall expire and be deemed repealed July 1, 2024.
4.  Finance, Budget and Appropriations
.1  PIT – Request to Increase Funding for Capital Project #906 for Enterprise-Wide Permitting Software

WHEREAS, the Department of Public Information & Technology submitted a capital project proposal which was approved as part of the 2022 City of Ithaca Budget in the amount of $100,000 to purchase OpenGov software for the purpose of enterprise-wide permitting; and

WHEREAS, several software demonstrations have been conducted over the past year which included staff from the Department of Planning, Building and Economic Development, Ithaca Fire Department, Ithaca Police Department, Department of Public Works (Engineering, Streets & Facilities, Water & Sewer), and the Department of Public Information Technology; and

WHEREAS, each of the aforementioned departments have identified multiple permitting processes that they believe would become more efficient, collaborative, and transparent through the use of OpenGov Software; and

WHEREAS, OpenGov software is web-based and allows information to be shared across departments in the office or in the field through a robust mobile device platform, and it also integrates with existing city software programs such as Laserfiche for document management, and MUNIS for financial processing and

WHEREAS, the Town of Ithaca is in the process of deploying their OpenGov permitting processes which will allow a new level of access and flexibility for town and city staff, businesses, and members of the public who conduct business with both municipalities, and

WHEREAS, the capital project cost submitted in May of 2021 was an approximation of what staff thought the product costs would be without an official quote from the company because the funding requests were due before the project could be completely scoped, and

WHEREAS, the official quote for the purchase of the software, the development of automated processes, and other professional services exceeds the projected capital project cost by $63,525, and the annual subscription costs exceed projected costs by $42,000; now, therefore be it

RESOLVED, That Capital Project #906 be amended by an amount not to exceed $63,525 for a total project authorization of $163,525 for the procurement of OpenGov Software and related services through a cooperative purchasing agreement, and be it further

RESOLVED, That funds necessary for said software project amendment be allocated from existing American Rescue Plan Act (ARPA) funds.
WHEREAS, Section 15.12 of the Franchise Agreement of January 2003 between the City of Ithaca and the franchisee Time Warner Entertainment-Advance/Newhouse Partnership (TWC) (“Franchise Agreement”), subsequently assigned to Charter Communications, Inc. d/b/a Spectrum Networks (Charter) after Charter's 2016 acquisition of TWC, requires the participating municipalities (City of Ithaca, Town of Ithaca, Village of Cayuga Heights) to provide the franchisee with an annual written budget for Public, Educational and Governmental access operations (PEG) by June 30 of each calendar year; and

WHEREAS, Section 15.12 of the Franchise Agreement requires that PEG Access Staff provide the Access Oversight Committee (AOC) with budget recommendations for the following year by April 30; and

WHEREAS, the Franchise Agreement authorizes Charter Communications to collect $0.15 per subscriber per month to be used for the purchase of PEG equipment; and

WHEREAS, the City of Ithaca’s Ordinance #2003-17, Par 18-4-G, requires the Access Oversight Committee (AOC) to provide the Participating Municipalities with a recommended budget for the following year by May 31; and

WHEREAS, the AOC has reviewed PEG’s current equipment and anticipates that new or replacement equipment might be needed; and

WHEREAS, the AOC recommends earmarking up to $1,000 to facilitate a new PEG website, pursuant to the attached budget; and

WHEREAS, the AOC recommends a $50,000 contingency to purchase equipment as needed for the functioning of PEG operations, pending receipt and AOC approval of line-item estimates; now, therefore be it

RESOLVED, That Common Council hereby accepts Access Oversight Committee recommended budget for Spectrum TV’s 2022 annual budget for Public Educational and Governmental access operations.
Access Oversight Committee (AOC)
April 5, 2022

AOC Recommendations for 2023 Budget

WHEREAS, Section 15.12 of the Franchise Agreement of January 2003 between the City of Ithaca and the franchisee Time Warner Entertainment-Advance/Newhouse Partnership (TWC) (“Franchise Agreement”), subsequently assigned to Charter Communications, Inc. d/b/a Spectrum Networks (Charter) after Charter's 2016 acquisition of TWC, requires the participating municipalities (City of Ithaca, Town of Ithaca, Village of Cayuga Heights) to provide the franchisee with an annual written budget for Public, Educational and Governmental access operations (PEG) by June 30 of each calendar year; and

WHEREAS, Section 15.12 of the Franchise Agreement requires that PEG Access Staff provide the Access Oversight Committee (AOC) with budget recommendations for the following year by April 30; and

WHEREAS, the City of Ithaca’s Ordinance #2003-17, Par 18-4-G, requires the Access Oversight Committee (AOC) to provide the Participating Municipalities with a recommended budget for the following year by May 31; and

WHEREAS, the Franchise Agreement authorizes Charter to collect $0.15 per subscriber per month to be used for the purchase of PEG equipment and facilities; and

WHEREAS, the AOC has reviewed PEG’s current equipment and facilities and anticipates that new or replacement equipment and facilities will likely be needed, including the “mini studio,” and certain playback equipment; now therefore be it

RESOLVED, that the AOC recommends earmarking up to $1000 to facilitate a new PEG website, pursuant to the attached budget, and be it further

RESOLVED, that the AOC recommends a $50,000 contingency to purchase equipment as needed for the functioning of PEG operations, pending receipt and AOC approval of line-item estimates, and be it further

RESOLVED, that the AOC forwards its recommendations for approval by the Common Council of the City of Ithaca, the Town of Ithaca Board and the Village of Cayuga Heights Board of Trustees, so that they may meet their obligation to provide Charter Communications with an annual written budget for Public, Educational and Governmental access operations no later than June 30, 2022.

Approved unanimously
4. Finance, Budget, and Appropriations
3 Authorization of FY22 Implementing Crisis Intervention Teams - Community Policing Development Solicitation Application

WHEREAS, in 2021 the City of Ithaca Common Council resolved to evaluate existing models and implement an alternative law enforcement response system for crisis intervention and wraparound health and human service delivery; and

WHEREAS, the U.S. Department of Justice Community Oriented Policing Services (COPS) grant program makes federal funds available to advance work that promotes civil rights and racial equity, increases access to justice, supports crime victims and individuals impacted by the justice system, strengthens community safety and protects the public from crime and evolving threats, and build trust between law enforcement and the community; and

WHEREAS, the goal of FY22 Implementing Crisis Intervention Teams solicitation is to provide funding to support the implementation of crisis intervention teams, including embedding behavioral or mental health professionals with law enforcement agencies, training for law enforcement officers and embedded behavioral or mental health professionals in crisis intervention response, or a combination of these; and

WHEREAS, the Common Council of the City of Ithaca recommits itself to implement an alternative response crisis intervention model to address concerns; now, therefore be it

RESOLVED, That the Acting Mayor of the City of Ithaca, is hereby authorized and directed to submit an application in accordance with the provisions of the Department of Justice FY22 Implementing Crisis Intervention Teams - Community Policing Development Solicitation O-COPS-2022-171166, in an amount not to exceed $350,000, and upon approval of said request to enter into an execute a project assessment for such financial assistance to the City of Ithaca for recruitment, training, and associated costs for the establishment of Crisis Intervention Teams; and be it further

RESOLVED, That the Acting Mayor of the City of Ithaca be and is hereby authorized to execute all necessary Agreements, and that the Chief of Police is hereby authorized to execute all certifications and reimbursement requests for 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 be it further

RESOLVED, That this resolution shall take effect immediately.
Bond Resolution Request, CA Meeting, May 25, 2022

The City normally borrows funds twice a year, generally in February and July.

This request is to approve the debt authorization of Capital Projects approved by Common Council since our last authorization in January 2022. Additionally, the projects needed for authorization include projects approved by Common Council but have not yet been included in a bond resolution. All projects are issued on a cash flow need basis, meaning, that the funds will be issued over the next six months as cash is needed for the projects. In addition, we have a restricted time frame to expend funds once we issue them.

Attached you will find the projects needed for authorization in the amount of $2,460,000. My concerns related to the City’s heavy debt load are on-going. While we are not in the red flag danger area, we need to continue to find ways to reduce the high amount of debt we currently have. We are in the 70% of expended debt limit area. At 90% of debt limit exhausted, the red flags are raised. We did recently see our bond rating reduced with one of the concerns being the high debt load the city maintains. Going forward, the high annual debt service costs will restrict the use of City funds on other areas. By law, we are required to pay our debt first. After a small reduction in our debt load last year, with the activity this year, we continue to slowly reduce our debt outstanding. Our current debt outstanding, including this issue, is $150,824,823. While $72,196,415 of our outstanding debt is related to water, sewer, wastewater and installment debt and is exempt from debt limit, we still have a significant amount of general outstanding debt, $78,628,408. We will pay off $8,280,662 in debt principal during 2022. It’s important to note that some of our debt is borrowed upfront and will be later repaid from state and federal sources. The amount of reimbursement for federal and state aid will range from $7,000,000 to $12,000,000.

We have received the bonding resolutions from the bonding attorney, they are included in the CA packet.

The total debt issuance for this sale, scheduled in mid-July, will be $1,510,000, plus renewal of the Bond Anticipation Notes (BANs) coming due. Of the $1,510,000 of new money requested for issuance, all of it is needed for General Fund purposes.

The impact on the market due to COVID is somewhat volatile and uncertain. Interest rates which have been historically low for the last two years, are now on the rise. Recent inflationary fears, job market issues, Russia activity and supply chain issues will continue to push interest rates higher for the next year. Our one year note interest rate in February was still low at .82%. The Feds have maintained that they will continue to increase rates over the next year to try and calm the economy. We expect to borrow funds through BANs (short-term) at interest rates between 1% and 1.50%. The investment rate we are able to retain is very low as well, but also recently increasing, and is currently around .30%. We will explore investment alternatives now that the rates are increasing. We will continue to look at the

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

possibility of going long-term with some of our debt, only if long-term rates are favorable though. We will likely be re-rated as part of our debt issuance and there is always a possibility of a rate change. Our last re-rating in January ended up with the City maintaining our bond rate of Aa3. This rate is important as it determines our future borrowing interest rates. With every downward rating action comes higher borrowing interest rates.

Interest rates are still favorable for short-term borrowing with a bond rating of Aa3 or better. Our current bond rating is Aa3 as rated by Moody's Investor Services. This rate is three steps below a top AAA rating. Our rate of Aa3 is still a good investment grade rating. While the interest rate market is still favorable for borrowing, you must be able to afford it. We do expect that these lower interest rates will continue to edge higher over time. This increase will translate into higher debt interest rate costs for us and put even more strain on our future budgets.

Steven P. Thayer
City Controller
May 16, 2022
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<tr>
<th>Date</th>
<th>Project #</th>
<th>Description</th>
<th>Needed Bond Resolution Amount</th>
<th>Status</th>
<th>Needed Amount to Issue</th>
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<tr>
<td>3/2/2022</td>
<td>910</td>
<td>Stewart Ave Bridge Imp. To fund the construction design of the improvements to the Stewart Ave. Bridge over Fall Creek. These funds are for design. Construction on the Bridge will follow in the spring of 2024. This is an upfront cost with Federal and State funding to reimburse the City, at least 95% of the costs. New Money. New project. The City cost for this project is currently $5,600.</td>
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<td>3/2/2022</td>
<td>880</td>
<td>East Stub/MLK Jr. Street Imp Improves the Street to fund the additional design of the improvements to be made on the East State/MLK Street from the tureng fork intersection to Mitchell Street. Construction will follow in spring 2023. The project is funded 80% from Federal aid reimbursement. The City cost at this time is 20%. The funds will have to be paid upfront by the City and later reimbursed from aid. This will amend the project by $100,000 to a total authorization of $200,000.</td>
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<td>issue</td>
<td>$100,000</td>
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<tr>
<td>4/6/2022</td>
<td>889</td>
<td>College Avenue Reconstruction To fund the reconstruction of College Avenue from Mitchell Street to Dryden Road in coordination with NYSEG to place electric facilities underground. The construction will include full depth reconstruction, new curbing, new storm drains, new sidewalks, new street light system, signs, telecommunications system and pavement markings. Amended project and money. The original project was issued on 2/19/20 for $1,000,000. This will amend the project by $1,850,000 to a total authorization of $2,850,000. This added project cost will be funded upfront by the City and later 100% reimbursement from State Touring Route funding.</td>
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<td>4/6/2022</td>
<td>733</td>
<td>Cass Park Rink Renovations To fund added costs associated with the enclosure of Cass Park Ice Rink. Costs include rink enclosure, HVAC systems, Bleachers and fire suppression. This is an amended project and new money. The project was last amended in January of 2022 and funds were last issued on 2/17/22 in the amount of $400,200. This amendment brings the authorization to $3,752,700. Additional funding sources will include donations, NYS grants and County funding. The City's final project cost is yet to be determined.</td>
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<td>11/1/2017</td>
<td>822</td>
<td>East Hill Fire Station Design/Replacement To fund the design for the construction of new Fire Station in the City. This would fund the design and engineering services of a new Fire Station and the sale of existing Fire Station on East Hill. Previously authorized. $1,000,000 in NYS funds are also available for the relocation of the East Hill Fire Station. Last issue of $100,000 on 2/17/22. Total issue to-date is $480,000. This will amend the issued amount by $400,000 to a total issue to-date of $880,000. Total authorized to-date is $1,160,000, not including any ARPA funding. The town of Ithaca will assist in funding of the final project cost based on the town/city fire services contract. The construction of the new East Hill Fire Station will start in 2023.</td>
<td>$-</td>
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**Totals**

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<th>Status</th>
<th>Needed Amount to Issue</th>
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<tr>
<td>Total</td>
<td>$2,460,000</td>
<td></td>
<td>$1,510,000</td>
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City of Ithaca Page 1
BOND RESOLUTION
(Cass Park Ice Rink Enclosure)

At a regular meeting of the Common Council of the City of Ithaca, Tompkins County, New York, held at the Common Council Chambers, City Hall, in Ithaca, New York, in said City, on the 25th day of May, 2022, at _______ o'clock P.M., Prevailing Time.

The meeting was called to order by ____________________________, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by Councilman ________________________, who moved its adoption, seconded by Councilman ________________________, to-wit:
BOND RESOLUTION DATED MAY 25, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF $400,000 BONDS OF THE CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK, TO PAY CERTAIN NEW CITY COSTS OF THE CASS PARK ICE RINK, IN AND FOR SAID CITY.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant adverse effect on the environment; and

WHEREAS, it is now desired to authorize bonds for the financing thereof, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Ithaca, Tompkins County, New York, as follows:

Section 1. For the specific object or purpose of paying certain new City costs of the Cass Park Ice Rink, including the enclosure, heating, ventilating, and air conditioning system, bleachers, and fire suspension, in and for the City of Ithaca, Tompkins County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued $400,000 bonds pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated of the aforesaid specific object or purpose is hereby determined to be $400,000, which specific object or purpose is hereby authorized at said maximum estimated cost, and the plan for the financing thereof is by the issuance of the $400,000 bonds of said City authorized to be issued pursuant to this bond resolution.
Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 19(c) of paragraph (a) of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Ithaca, Tompkins County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Controller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Controller, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Controller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Controller
shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the 
application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds, 
including determining whether to issue such bonds having substantially level or declining debt 
service and all matters related thereto, prescribing whether manual or facsimile signatures shall 
appear on said bonds, prescribing the method for the recording of ownership of said bonds, 
appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of 
said bonds (and if said bonds are to be executed in the name of the City by the facsimile 
signature of the City Controller, providing for the manual countersignature of a fiscal agent or of 
a designated official of the City), the date, denominations, maturities and interest payment dates, 
place or places of payment, and also including the consolidation with other issues, shall be 
determined by the City Controller. It is hereby determined that it is to the financial advantage of 
the City not to impose and collect from registered owners of such serial bonds any charges for 
mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, 
accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges 
shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of 
validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in 
such form and contain such recitals in addition to those required by section 52.00 of the Local 
Finance Law, as the City Controller shall determine.

Section 8. The validity of such bonds and bond anticipation notes may be contested 
only if:

1) Such obligations are authorized for an object or purpose for which said City is not 
authorized to expend money, or
2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in full or summary form in the Ithaca Journal, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.
The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

__________________________________ VOTING ________
__________________________________ VOTING ________
__________________________________ VOTING ________
__________________________________ VOTING ________
__________________________________ VOTING ________
__________________________________ VOTING ________
__________________________________ VOTING ________
__________________________________ VOTING ________
__________________________________ VOTING ________
__________________________________ VOTING ________
__________________________________ VOTING ________
__________________________________ VOTING ________

The resolution was thereupon declared duly adopted.

* * * * * * *
CERTIFICATION

STATE OF NEW YORK

COUNTY OF TOMPKINS

I, the undersigned Clerk of the City of Ithaca, in the County of Tompkins, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 25th day of May, 2022.

2. That such meeting was a special regular (circle one) meeting.

3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Common Council of the Issuer.

4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Common Council.

5. That all members of the Common Council of the Issuer had due notice of said meeting.

6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".

7. That notice of said meeting (the meeting at which the proceeding was adopted) was caused to be given PRIOR THERETO in the following manner:

   PUBLICATION (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

   POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of May, 2022.

___________________________________
City Clerk

(CORPORATE SEAL)
LEGAL NOTICE OF ESTOPPEL

The bond resolution, summary of which is published herewith, has been adopted on May 25, 2022, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Ithaca, Tompkins County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the City Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Ithaca, New York,
May 25, 2022.

/s/Julie Conley Holcomb
City Clerk

BOND RESOLUTION DATED MAY 25, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF $400,000 BONDS OF THE CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK, TO PAY CERTAIN NEW CITY COSTS OF THE CASS PARK ICE RINK, IN AND FOR SAID CITY.

<table>
<thead>
<tr>
<th>Specific object or purpose:</th>
<th>New City costs of the Cass Park Ice Rink</th>
</tr>
</thead>
<tbody>
<tr>
<td>Period of probable usefulness:</td>
<td>15 years</td>
</tr>
<tr>
<td>Maximum estimated cost:</td>
<td>$400,000</td>
</tr>
<tr>
<td>Amount of obligations to be issued:</td>
<td>$400,000 bonds</td>
</tr>
<tr>
<td>SEQRA status:</td>
<td>Type II Action</td>
</tr>
</tbody>
</table>
ADDITIONAL MONEY BOND RESOLUTION
(College Avenue Reconstruction)

At a regular meeting of the Common Council of the City of Ithaca, Tompkins County, New York, held at the Common Council Chambers, City Hall, in Ithaca, New York, in said City, on the 25th day of May, 2022, at _______ o’clock P.M., Prevailing Time.

The meeting was called to order by ________________________________, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by Councilman ________________________, who moved its adoption, seconded by Councilman ________________________, to-wit:
BOND RESOLUTION DATED MAY 25, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL $1,850,000 BONDS OF THE CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE RECONSTRUCTION OF COLLEGE AVENUE, IN AND FOR SAID CITY.

WHEREAS, by a bond resolution heretofore adopted on January 8, 2020, the Common Council of the City of Ithaca, Tompkins County, New York, authorized the issuance of $1,000,000 bonds of said City to pay the cost of the reconstruction of College Avenue from Mitchell Street to Dryden Road to place electric facilities underground, including full depth reconstruction, curbs, storm drains, sidewalks, light system, signs, telecommunication system, and pavement markings, in and for said City; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have a significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize $1,850,000 additional bonds for the financing thereof; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Ithaca, Tompkins County, New York, as follows:

Section 1. For the specific object or purpose of paying part of the cost of the reconstruction of College Avenue from Mitchell Street to Dryden Road to place electric facilities underground, including full depth reconstruction, curbs, storm drains, sidewalks, light system, signs, telecommunication system, and pavement markings, in and for the City of Ithaca,
Tompkins County, New York, there are hereby authorized to be issued an additional $1,850,000 bonds pursuant to the provisions of the Local Finance Law. Said specific object or purpose is hereby authorized at the new maximum estimated cost of $2,850,000.

**Section 2.** The plan for the financing of such $2,850,000 maximum estimated cost is as follows:

a) By the issuance of the $1,000,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond resolution dated January 8, 2020; and

b) By the issuance of the additional $1,850,000 bonds of said City herein authorized for said specific object or purpose.

**Section 3.** It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 15 years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from the date of issuance of the first obligations issued therefore.

**Section 4.** The faith and credit of said City of Ithaca, Tompkins County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

**Section 5.** Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City
Controller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Controller, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Controller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Controller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Controller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Controller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and,
accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Controller shall determine.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in full or summary form in the Ithaca Journal, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.
The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________

The resolution was thereupon declared duly adopted.

*     *     *     *     *     *  
CERTIFICATION

STATE OF NEW YORK  )
COUNTY OF TOMPKINS  ) ss.:  

I, the undersigned Clerk of the City of Ithaca, in the County of Tompkins, New York (the “Issuer”), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 25th day of May, 2022.

2. That such meeting was a **special regular** (circle one) meeting.

3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Common Council of the Issuer.

4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Common Council.

5. That all members of the Common Council of the Issuer had due notice of said meeting.

6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the “Open Meetings Law”.

7. That notice of said meeting (**the meeting at which the proceeding was adopted**) was caused to be given **PRIOR THERETO** in the following manner:

**PUBLICATION** (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

**POSTING** (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of May, 2022.

___________________________________  
City Clerk

(CORPORATE SEAL)
LEGAL NOTICE OF ESTOPPEL

The bond resolution, summary of which is published herewith, has been adopted on May 25, 2022, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Ithaca, Tompkins County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the City Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Ithaca, New York,
May 25, 2022.

/s/Julie Conley Holcomb
City Clerk

BOND RESOLUTION DATED MAY 25, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL $1,850,000 BONDS OF THE CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE RECONSTRUCTION OF COLLEGE AVENUE, IN AND FOR SAID CITY.

Specific object or purpose: Reconstruction of College Avenue (from Mitchell Street to Dryden Road)

Period of probable usefulness: 15 years

New maximum estimated cost: $2,850,000

Obligations previously authorized: $1,000,000 (1/8/20)

Amount of obligations to be issued pursuant to this resolution: $1,850,000

SEQRA status: Type II Action
ADDitional MOney Bond ResoLution
(East State Street-MLK Jr. Street Planning and Design)

At a regular meeting of the Common Council of the City of Ithaca, Tompkins County, New York, held at the Common Council Chambers, City Hall, in Ithaca, New York, in said City, on the 25th day of May, 2022, at _______ o’clock P.M., Prevailing Time.

The meeting was called to order by _______________________________ , and

upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by Councilman ________________________, who moved its adoption, seconded by Councilman ___________________________ , to-wit:
BOND RESOLUTION DATED MAY 25, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL $100,000 BONDS OF THE CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE PLANNING AND DESIGN COSTS FOR THE EAST STATE STREET-MARTIN LUTHER KING JR. STREET IMPROVEMENTS, IN AND FOR SAID CITY.

WHEREAS, by a bond resolution heretofore adopted on January 6, 2021, the Common Council of the City of Ithaca, Tompkins County, New York, authorized the issuance of $300,000 bonds of said City to pay the planning and design costs of the East State Street-Martin Luther King Jr. Street improvements project, in and for said City; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have a significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize $100,000 additional bonds for the financing thereof; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Ithaca, Tompkins County, New York, as follows:

Section 1. For the specific object or purpose of paying additional planning and design costs for the East State Street-Martin Luther King Jr. Street improvements project, in and for the City of Ithaca, Tompkins County, New York, there are hereby authorized to be issued an additional $100,000 bonds pursuant to the provisions of the Local Finance Law. Said specific object or purpose is hereby authorized at the new maximum estimated cost of $400,000.
Section 2. The plan for the financing of such $400,000 maximum estimated cost is as follows:

a) By the issuance of the $300,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond resolution dated January 6, 2021; and

b) By the issuance of the additional $100,000 bonds of said City herein authorized for said specific object or purpose.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 5 years, pursuant to subdivision 62(2nd) of paragraph a of Section 11.00 of the Local Finance Law, computed from the date of issuance of the first obligations issued therefore.

Section 4. The faith and credit of said City of Ithaca, Tompkins County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Controller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Controller, consistent with the provisions of the Local Finance Law.
Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Controller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Controller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Controller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Controller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in
such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Controller shall determine.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in full or summary form in the Ithaca Journal, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.
The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
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__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________
__________________________________ VOTING _________

The resolution was thereupon declared duly adopted.

*   *   *   *   *   *

-5-
CERTIFICATION

STATE OF NEW YORK           )
                                ) ss.:
COUNTY OF TOMPKINS          )

I, the undersigned Clerk of the City of Ithaca, in the County of Tompkins, New York (the “Issuer”), DO HEREBY CERTIFY:
1. That a meeting of the Issuer was duly called, held and conducted on the 25th day of May, 2022.
2. That such meeting was a special regular (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Common Council of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Common Council.
5. That all members of the Common Council of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the “Open Meetings Law”.
7. That notice of said meeting (the meeting at which the proceeding was adopted) was caused to be given PRIOR THERETO in the following manner:

   PUBLICATION (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

   POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of May, 2022.

___________________________________
City Clerk

(CORPORATE SEAL)
LEGAL NOTICE OF ESTOPPEL

The bond resolution, summary of which is published herewith, has been adopted on May 25, 2022, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Ithaca, Tompkins County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the City Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Ithaca, New York,
May 25, 2022.

/s/Julie Conley Holcomb
City Clerk

BOND RESOLUTION DATED MAY 25, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL $100,000 BONDS OF THE CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE PLANNING AND DESIGN COSTS FOR THE EAST STATE STREET-MARTIN LUTHER KING JR. STREET IMPROVEMENTS IMPROVEMENTS PROJECT, IN AND FOR SAID CITY.

Specific object or purpose: Planning and design costs for East State Street-Martin Luther King Jr. Street improvements project

Period of probable usefulness: 5 years

New maximum estimated cost: $400,000

Obligations previously authorized: $300,000 (1/6/21)

Amount of obligations to be issued pursuant to this resolution: $100,000

SEQRA status: Type II Action
BOND RESOLUTION
(Stewart Avenue Bridge -Design)

At a regular meeting of the Common Council of the City of Ithaca, Tompkins County, New York, held at the Common Council Chambers, City Hall, in Ithaca, New York, in said City, on the 25th day of May, 2022, at _______ o'clock P.M., Prevailing Time.

The meeting was called to order by ________________________________, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by Councilman ________________________, who moved its adoption, seconded by Councilman ________________________, to-wit:
BOND RESOLUTION DATED MAY 25, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF $110,000 BONDS OF THE CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK, TO PAY THE COST OF PLANNING AND DESIGN COSTS FOR THE STEWART AVENUE BRIDGE IMPROVEMENT OVER FALL CREEK, IN AND FOR SAID CITY.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant adverse effect on the environment; and

WHEREAS, it is now desired to authorize bonds for the financing thereof, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Ithaca, Tompkins County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of planning and design costs for the Stewart Avenue Bridge improvement over Fall Creek, in and for the City of Ithaca, Tompkins County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued $110,000 bonds pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated of the aforesaid specific object or purpose is hereby determined to be $110,000, which specific object or purpose is hereby authorized at said maximum estimated cost, and the plan for the financing thereof is by the issuance of the $110,000 bonds of said City authorized to be issued pursuant to this bond resolution; provided, however, that to the extent that any Federal or State grants-in-aid are
received for such specific object or purpose, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar-for-dollar.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 62(2nd) of paragraph (a) of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Ithaca, Tompkins County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Controller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Controller, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Controller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the
State Comptroller applicable to the sale of municipal bonds. The receipt of the City Controller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Controller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Controller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Controller shall determine.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:
1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in full or summary form in the Ithaca Journal, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.
The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

__________________________ VOTING _________

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The resolution was thereupon declared duly adopted.

* * * * * * *
CERTIFICATION

STATE OF NEW YORK  )
COUNTY OF TOMPKINS  ) ss.:  

I, the undersigned Clerk of the City of Ithaca, in the County of Tompkins, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 25th day of May, 2022.
2. That such meeting was a special  regular (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Common Council of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Common Council.
5. That all members of the Common Council of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (the meeting at which the proceeding was adopted) was caused to be given PRIOR THERETO in the following manner:

   PUBLICATION (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

   POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of May, 2022.

___________________________________  City Clerk

(CORPORATE SEAL)
LEGAL NOTICE OF ESTOPPEL

The bond resolution, summary of which is published herewith, has been adopted on May 25, 2022, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Ithaca, Tompkins County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the City Clerk for a period of twenty days from the date of publication of this Notice.
Dated: Ithaca, New York,

May 25, 2022.

/s/Julie Conley Holcomb
City Clerk

BOND RESOLUTION DATED MAY 25, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF $110,000 BONDS OF THE CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK, TO PAY THE COST OF PLANNING AND DESIGN COSTS FOR THE STEWART AVENUE BRIDGE IMPROVEMENT OVER FALL CREEK, IN AND FOR SAID CITY.

Specific object or purpose: Planning/design costs for the Stewart Avenue Bridge improvement over Fall Creek

Period of probable usefulness: 5 years

Maximum estimated cost: $110,000

Amount of obligations to be issued: $110,000 bonds (to be reduced by any grants-in-aid received)

SEQRA status: Type II Action
5. Discussion


WHEREAS, the City of Ithaca hereby affirms and expresses support that the core values of our community include creating a climate of welcome and inclusiveness, protecting and preserving democracy, freedom, human rights, and the dignity of all people; and

WHEREAS, the 2019 Reproductive Health Act affirmed New York State’s commitment to comprehensive reproductive healthcare as a fundamental component of health, privacy, and equality; and

WHEREAS, in anticipation of an expected Supreme Court ruling, some state legislatures have moved to criminalize out-of-state abortions; and

WHEREAS, the New York State Legislature is actively considering the A10148 the Reproductive Freedom and Equity Program Act; now therefore

ORDINANCE 2022-

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. That the protection of reproductive rights is essential to healthcare and the wellbeing of individuals.
2. That New York State legalized abortion in 1970 prior to the landmark Roe v. Wade case enshrined these protections in the U.S. Constitution.

Based on the above findings of fact, and consistent with the Tenth Amendment to the United States Constitution, the enactment of this Article is intended to achieve the following objectives,

Section 2.
§215 of the City Code is hereby amended to add at the end thereof a new Article VII to read as follows:

Article VII Protection of Reproductive Rights
§215-47 The purpose and intent of this Article is to recognize the importance of reproductive healthcare as a matter of health, privacy, and equality and to ensure, to the greatest extent permitted by law, that those rights are upheld for all residing within the City of Ithaca.

§215-48 Persons not to be detained.
A. No city resources, including, but not limited to, time spent by employees, officers, contractors, or subcontractors while on duty, or the use of city property, shall be utilized for:

1) Detaining persons for performing or aiding in the performance of an abortion within this state, or in procuring an abortion in this state, if the abortion is performed in accordance with the provisions of Article 25A of the Public Health Law or any other applicable New York State law, or
2) Cooperating with or providing information to any individual or out-of-state agency or department regarding the provision of a lawful abortion performed in the state.

B. Nothing in this section shall prohibit the investigation of any criminal activity in this state, provided that no information relating to any medical procedure performed on a specific individual may be shared with an out-of-state agency or any other individual.

C. Any person detained in violation of this section may bring an action in any court of competent jurisdiction for a claim of unlawful detention in violation of this section, for any damages, including punitive damages, and for declaratory and injunctive relief and such other remedies as may be appropriate. The court, in issuing any final order in any section brought pursuant to this section, may award costs of litigation, to the prevailing party whenever the court determines such an award is appropriate. This section does not limit or abrogate any claim or cause of action such person has under common law or by other law or rule.

**Section 3. 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 4. Effective Date**

This ordinance shall take effect immediately and in accordance with law upon publication of notices as provided in the Ithaca City Charter.