# 2 REVISED PEDC Meeting
Planning and Economic Development Committee
Ithaca Common Council

City Hall Remains Closed to the Public
This meeting will be conducted remotely via the online platform Zoom, pursuant to the Governor’s Executive Order 202.1. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2lVCnTrrDg

*General Public Comments*
Send written comments here: http://www.cityofithaca.org/FormCenter/Planning-Economic-Development-Committee-18/Planning-Economic-Development-Committee--98 by 4:00 p.m. the day BEFORE the meeting. All comments received will be forwarded to the Common Council for their consideration. Written comments received in advance of the meeting give the Committee members time to fully consider them. If you want your comment read aloud, please state so in your email and limit the comment to three minutes. A minimum of 15 minutes will be allotted at the beginning to read comments, if needed. The Chair will make an effort to accommodate as many read comments as time permits.

All comments and questions can be emailed to Deborah Grunder at dgrunder@cityofithaca.org or call (607) 274-6551.

<table>
<thead>
<tr>
<th>Agenda Items</th>
<th>Voting Item</th>
<th>Presenter</th>
<th>Time Start</th>
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</thead>
<tbody>
<tr>
<td>1) Call to Order/Agenda Review</td>
<td>No</td>
<td>Seph Murtagh, Chair</td>
<td>6:00</td>
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<tr>
<td>2) Public Comment *</td>
<td>No</td>
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<td>6:05</td>
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<td>3) Announcements, Updates, Reports</td>
<td></td>
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<td>6:20</td>
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<td>4) Items (Voting to Send on to Council)</td>
<td>Yes</td>
<td>Lisa Nicholas, Planning</td>
<td>6:25</td>
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<tr>
<td>a) NYSDOT Proposed Changes to the West End and Concept Approval</td>
<td>Yes</td>
<td>Jennifer Kusznir, Planning</td>
<td>6:40</td>
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<td>b) CIITAP / IDA Housing</td>
<td>Yes</td>
<td>Tim Logue, Engineering</td>
<td>7:10</td>
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<td>c) Black Diamond Trail Trailhead in Cass Park</td>
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<td>5) Review and Approval of Minutes</td>
<td>Yes</td>
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<td>7:25</td>
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<td>a) March 2020</td>
<td></td>
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<td>6) Adjournment</td>
<td>Yes</td>
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<td>7:30</td>
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If you have a disability and require accommodations in order to fully participate, please contact the City Clerk at 274-6570 by 12:00 noon on Tuesday, August 18, 2020.
MEMORANDUM

From: Lisa Nicholas, Deputy Director of Planning
To: Planning & economic Development Committee
Date: August 12, 2020
Subject: NYSDOT Proposed Changes to the West End & Concept Approval

The purpose of this memo is to provide information about a NYS DOT proposal to alter vehicular traffic patterns though the West End to reduce congestion and increase safety. With an understanding of the proposal and steps for moving this forward, we are hoping that Council will consider a resolution in support of the concept – subject to further analysis, input and funding.

A concept for a West End couplet involving Buffalo and Court Streets is attached for your reference. This idea was proposed by the staff and Regional Director of NYS DOT Region 3 and comprises converting Buffalo St to one-way eastbound between Fulton and Meadow, and either converting Court St to one-way westbound or otherwise increasing westbound vehicular capacity. As described on page 2 of the attached DOT comments, implementation of this concept and two other items are required mitigation for the City Harbor and Carpenter Circle projects. This means that the NYS DOT will not permit the Break-In-Access (BIA) and other pedestrian improvements proposed for Rte 13, unless these mitigations are carried out.

Additional analysis is need to determine the potential impacts and feasibility of this concept. DOT’s preliminary analysis (described in their attached comments) suggests that the proposed changes will result in a significant reduction in travel times at the peak hours as well as a reduction in certain kinds of crashes. However, we must also ensure that this arrangement works for the long-term waterfront development scenario – which includes the DOT site and several other projects – and not just for these two projects. We must also study how this change could potentially impact emergency response and traffic flow though adjacent residential neighborhoods. To this end, the concept was presented by DOT to City staff in July and circulated for further comments and questions. Some of these question have been complied in the attached Questions for Additional Analysis. Staff will continue to gather feedback, including from elected officials and, potentially, the public. It should be noted that DOT is enthusiastic about this proposal and believes that it will address long term existing deficiencies and safety issues within the network.

In conversations with City staff, DOT Region 3 representatives have stated that portions of these improvements could be added to an existing DOT capital project to repave sections of Fulton, Meadow and Buffalo scheduled for 2023. Future conversations will determine how much of the overall cost the capital project would cover and from where any needed additional would be derived.

As DOT considers this required mitigation, they have indicated that a resolution by Common Council in support of the concept (subject, of course, to further study) is needed to allow formal review of the BIA and
other pedestrian improvements. Please find attached such a resolution for your consideration. I have also included a timeline below showing next steps and sequence

<table>
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<th>Task</th>
<th>Timeframe</th>
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<tr>
<td>Resolution from Council Approving Concept</td>
<td>September 2020</td>
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<td>Additional Analysis – SFR Associates is working with City Staff and DOT to develop a scope of work for additional analysis needed to explore the feasibility and impacts of the proposal. The final scope will be based on input from the City (staff &amp; elected officials) and possibly the public. Cost estimates will be part of this analysis</td>
<td>Sept- December 2020</td>
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<td>Approval Process - If the additional analysis proves positive, a local approval path will be determined</td>
<td>January – February 2021</td>
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<td>Final Designs &amp; Funding - Final designs will be generated and additional funding, if needed will be sought.</td>
<td>March – December 2021</td>
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<td>Implementation – The project would be implemented in 2023 as part of the existing DOT Capital Project described above.</td>
<td>Spring 2023</td>
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Attachments:
1. Conceptual Approval Resolution
2. Conceptual Proposal Diagram
3. TIS comments from DOT
4. List of questions generated by staff for additional analysis
Proposed Planning Committee Resolution in Support of NYS DOT Region 3’s Concept for a West End Couplet Involving Buffalo and Court Streets
August 14, 2020

WHEREAS: NYSDOT Region #3 Staff and Director have proposed a West End couplet comprised of Buffalo and Court Streets involving the conversion of Buffalo St to one-way eastbound between Fulton and Meadow, and either converting Court St to one-way westbound or otherwise increasing westbound vehicular capacity, and

WHEREAS: Implementation of this concept along with two other items are considered by DOT to be required mitigations for the City Harbor and Carpenter Circle Projects, beyond the mitigations required by the Lead Agency as described in the Negative Determination of Environmental Significance dated May 26, 2020, and

WHEREAS: Such additional required mitigations must be part of any permit application to DOT for the proposed Break-in-Access (BIA) related to Carpenter Circle project and the proposed intersection improvements related to City Harbor project, as well as all other vehicular and pedestrian improvement related to both projects, primarily consisting of improved pedestrian crossings with a central refuge, sidewalks and lane restriping, and

WHEREAS: DOT believes that implementation of this concept it will address existing and future deficiencies and safety issues within the network, and

WHEREAS: DOT’s preliminary analysis suggests that the proposed changes will result in a significant reduction in travel times at the peak hours as well as a reduction in certain kinds of crashes, and

WHEREAS: the proposal is conceptual and will require additional analysis to determine, feasibility and potential impacts, including impact to emergency response and traffic flow though adjacent residential neighborhoods, and

WHEREAS: additional analysis must also investigate whether this concept is effective for the long-term waterfront development scenario – which includes the DOT site and several other projects – and not only City Harbor and Carpenter Circle, and

WHEREAS: Staff is gathering questions and comments to define the scope of the additional analysis, and

WHEREAS: In conversations with City staff, DOT Region 3 representatives have stated that portions of these improvements could be added to an existing DOT capital project to repave sections of Fulton, Meadow and Buffalo scheduled for 2023, and

WHEREAS: Future conversations will determine how much of the overall cost the capital project would cover and from where any needed additional would be derived, and

WHEREAS: NYS DOT requests assurance from the City that they find the concept of a West End couplet involving Buffalo and Court Street agreeable, subject to further analysis, outreach and identification of any needed funding, now therefore be it

RESOLVED: That Common Council does approve of the concept of a West End couplet involving Buffalo and Court Streets involving the conversion of Buffalo St to one-way eastbound between Fulton and
Meadow, and either converting Court St to one-way westbound or otherwise increasing westbound vehicular capacity, subject to further study and outreach as defined above.
Background Information:

City Harbor Development site is currently serving as a boat storage area, surrounded by Willow Ave to the north and east, Cascadilla Creek to the south, and Cayuga Inlet to the west.

The proposed development includes:
- 60,000 SF medical office building
- 156 units of multifamily housing
- 4,500 SF restaurant
- Redevelop of 115 existing marina berths

Trip Generation (100%): 179 AM peak trips and 275 PM peak trips.
Trip Generation (75%): 135 AM peak trips and 206 PM peak trips.

Access to the site will be via the existing Willow Ave/Dey St/N Meadow St intersection.

Carpenter Park development site is currently vacant, surrounded by Third St to the north, N Meadows St to the east, commercial development to the south, and railroad tracks to the west.

The proposed development includes:
- 64,000 SF medical office building
- 2 mixed-use bldgs. (23,000 SF retail) & 166 apart. units
- 42-unit affordable housing building

Trip Generation (100%): 185 AM peak trips and 331 PM peak trips.
Trip Generation (75%): 139 AM peak trips and 249 PM peak trips.

Existing access to the site is via Third St to N Meadow St. BIA to Route 13 via a simple “west side” driveway.

General Comments:

- The trip generation (75%) were the rates used in the Synchro files for LOS and queue analysis.
- The above trip generation numbers were reduced from initial TIS based on information provided by the project sponsors that is more consistent with these ITE daily trip estimates. Seems reasonable.
- The analysis takes a 25% reduction using various TDM strategies (previously 15%). This seems high and needs to be defined in detail and monitored. The city has provided a lot of input in the TDM strategies and requested the following:
  1. Verifying parking numbers to make sure parking is not in excess on what they need for site.
  2. Submission of parking pricing plan.
  3. Have someone fulltime manage the TDM Program - hire someone or local group “Go Ithaca”
  4. Submission of the hours and operation plan for medical offices.
  5. Plan for how buses will connect between Carpenter Park and the Greenstar site.
  6. Purchase a license for probe travel time data to monitor traffic on Route 13 during the phases of development.
  7. Permanent Counting station at the site accesses to help monitor how the TDM strategy is functioning. Both NYDOT and city should have access to this information.
As of 6/11/20, the city traffic engineer feels (22%) could be reasonable reduction rate if committed to properly. Staggered work hours (2%) • Promotion and education (2%) • Transit facilities (4%) • Roadway/multi-modal improvements (4%) • Bicycle storage (1 vehicle trip for every 5-bike parking in excess of local requirements) • Unbundled parking (10%)

LOS Analysis

The changes from SimTraffic to Synchro LOS, trip generation methodology, and increase from 15% to 25% TDM reduction rate reduced the LOS impact at the signalized intersections in comparison to the original submission. Based on these changes, the net result for the combined developments is a reduction of 189 trips in AM and 189 in the PM peak hour from the original TIS. In general, since the signal system is at capacity and highly sensitive to any additional volume, they are making some of the existing locations worse, but not as bad as the original analysis indicated. The following are three areas of concern:

Route 13 (N. Meadow St.) @ Dey & Willow (PM Peak)
- Overall LOS C (32s) to LOS D (48s) / LOS E (63s).
- Dey Street NWB left turn is LOS D (53s) to LOS E (64s) / LOS F (82s).
- Route 13 SB Thru/Right is LOS C (26s) to LOS D (44) / LOS E (75s).
- Route 13 NB Thru/Right is LOS D (35s) to LOS E (62s) / LOS E (58s).

Route 13 (N. Fulton) @ W. Buffalo St. (AM Peak)
- EB Thru on Buffalo goes from E (69s) to F (85s) / LOS F (92s)
- Storage across bridge to Buffalo @ Tauchannock is 400’, queues goes from #688’ to #750’.
  This in-turn impacts EB on Buffalo and SB on Tauchannock at the Buffalo at Tauchannock intersection.
- 100% volumes, Buffalo EB Thru goes from 659 to 701 & EB Right Turns stay same at 373.

Route 13 (N. Meadow) @ Buffalo St. (PM Peak)
- EB Left on Buffalo goes to D (41.1) to E (63s) / E (75s).
- 100% volumes, 348 go to 412 left turns, this is metered by signal to west on Fulton St.

Summary of proposed mitigation by SRF Associates:

City Harbor Development
1. Intersection improvements at Route 13/Willow Avenue/Dey Street:
   - Two lanes exiting Willow Ave. *(NYSDOT has concerns on the geometry for right turning trucks, radii and width needs to be designed for proper turning vehicle, this could impact signal. (Comment sent on 6/4/20)*
   - Lengthen Route 13 NB and SB left turn lanes.
   - Share responsibility for installing raised median refuge.
2. TDM strategies to reduce vehicle trips

Carpenter Park Development
3. Replace existing signal equipment at Route 13 at Third Street.
4. Install new signalized three-way intersection at proposed driveway location along Route 13 with pedestrian crossing hardware and crosswalks.
5. TDM strategies to reduce vehicle trips
Additional mitigation considered by SRF Associates:

- Consider reversible travel lanes along Buffalo St. between Taughannock and N. Meadow St. SRF Associates proposed this idea in their latest submission but is not tying it to the permit mitigation by stating the proposed project adds a small amount (3%) of traffic to the intersection. SRF also suggested:
  - Coordinate with ITCTC to develop regional TDM strategies
  - Divert eastbound right turn traffic on Buffalo at Fulton to use Taughannock to W. State.
  - Stated no benefit from restricting Fulton SB left turns or Buffalo WB left turns.

Additional mitigation required by NYSDOT:

6. Modify existing lane configuration to create a couplet for Buffalo St. and Court Street between Fulton and Meadow using the existing pavement section. Minimum widening is required (if any). This concept has been simulated and shows some merit and that it does function. It involves:

   a. Buffalo St. becomes one-way eastbound with two eastbound receiving lanes at Fulton, then opens to three lanes (dual left turn and thru) at N. Meadow St. A short section of the north side of Buffalo could be converted to a parking lane (if desired).

   b. Meadow @ Buffalo: all movements head north. The westbound thru/right lane on Buffalo is converted to a right turn only.

   c. Court St. gets converted to a three-lane section (2- lanes westbound/1- lane eastbound). A parking lane would need to be removed and possibly some minor widening on the north side of Court St. (might not be needed though). Court St. would have two westbound left turn lanes @ Fulton and a single eastbound left/thru lane @ Meadow.

   d. Fulton @ Buffalo: The westerly leg would have one receiving lane for the southbound right turns, two eastbound thru lanes, and an eastbound right turn lane (no widening). Signal phasing can be changed so the southbound right turn lane never stops and always has a green at this intersection. This will improve southbound progression along Fulton St.

   e. Buffalo @ Tauchannock Blvd: The eastbound and westbound left turns need to be restricted at this intersection due to the very high east/west thru volumes. The eastbound left turns are very low (3 and 18 vph) during the peak hours. The westbound left turners are a little heavier but have other options to turn at, specifically W. Seneca St. if they stayed on Fulton St.

   f. This concept also addresses the various crash patterns by eliminating the westbound movement at Fulton and Buffalo. Operations improve as well along Buffalo St.

   g. Additional enhanced signing (ground mounted and/or overhead) would be required on Fulton & Meadow to provide guidance for motorists that want to utilize the couplet.

   h. Overall cost is low since it does not require major widening.

7. Enhanced Overhead Signing/Sign Structure(s) on Route 13 (Fulton St.) and at location(s) north of Court St. & Etsy St. Crash diagrams show a pattern of southbound sideswipe crashes with motorists changing lanes in advance of these intersections. Reducing the weaving movements within the congestion area should improve progression and safety along Route 13 (Fulton St.). *(This is in addition to enhanced overhead/ground mounted signing needed for No. 6 above).*

8. Require a post-study and/or traffic counts to ensure site development matches the TIS projected trips as part of the phased of full build development.
Questions For Additional Analysis - DOT Couplet Proposal for Buffalo & Court Sts

- What lane configurations, signal phasings/timings will be proposed at:
  - Court/Fulton
  - Court/Meadow
  - Buffalo/Taughannock
  - Buffalo/Fulton
  - Buffalo Meadow

- How will the above lane configuration and lane length impact parking? For instance, does the westbound approach of Court at Fulton actually require dual lefts, or is one sufficient?

- Impact of changes on emergency response turning movements (IFD can provide specific questions)

- How would the state number route connections be signed (guidance signs), for example, how would Rt 13 N be guided to Rt 89 N or Rt 96 N (which are currently on an overlap)? Similarly for Rt 13 NB & SB to Rt 89, 96 and 79.

- What, if any, impact is there are existing curblines?

- What were the redistribution assumptions? What percentage of NB Rt 13 would be expected to use State St, Seneca St or Court St to reach Rt 89 or Rt 96? Add NB dedicated left for Buffalo & Taughannock?

- How would traffic from downtown and East Hill get pulled differently through the downtown? Can we model the impact of Cornell or even ICSD related traffic on streets like Court Street past GIAC & BJM Elementary?

- What opportunities might be included for pedestrian or bicycle improvements, particularly along Buffalo Street or Court Street as connections to the Cayuga Waterfront Trail? For example, if Court Street was WB only, could a protected two-way bikeway fit?

- What are the efficiencies gained with the new configuration?

- What are the expected costs?

- What is the impact on emergency response and access/travel times to the hospital?

- Are there any impacts on highway/railroad pre-emption systems?
To: Planning and Economic Development Committee  
FROM: Jennifer Kusznir, Economic Development Planner  
DATE: August 13, 2020  
RE: Review of the City of Ithaca Community Investment Incentive Tax Abatement Program (CIITAP)

The purpose of this memo is to provide information regarding a proposal to eliminate the City review process and to amend the boundaries for the Community Investment Incentive Tax Abatement Program (CIITAP).

In 2018 the City amended the criteria for CIITAP applications to include diversity, local labor, and housing requirements. The Tompkins County IDA application also includes all of these criteria. The IDA’s workforce housing policy addresses the concerns that were raised by the Common Council, however, it does not match the requirements or the incentives that were established in the Council resolution. This inconsistency is confusing and can result in project delays for applicants. Currently, an applicant must first complete the City application, which includes a public information session and a review by the CIITAP committee (the Mayor, the Director of Planning and Development, and the Director of Community Development for the IURA). Once this process is complete and the applicant receives an endorsement from the City, the applicant must begin the IDA process, which include an application, a public hearing, and review by the IDA. This process is complicated and unnecessarily confusing and creates an opportunity for inconsistencies between the two reviewing bodies. There are two options to address this problem. The first is to have the City notify the IDA that it endorses any projects in the density district that meet our criteria and then just eliminate the City application process. Applicants would then go directly to the IDA for tax abatements and the IDA would acknowledge the City’s endorsement of all projects that have met our stated criteria. Since the IDA has adopted policies that address the issues that have been identified by the Common Council, there is not a need to have these issues also be addressed by the City. Alternatively, if the City wishes to retain some portion of the review process, then staff recommends simplifying the application to only include the original criteria of location, density, size, and municipal compliance.

In addition to changes to the application process staff is also recommending that the Common Council consider amending the boundaries of the City density district. In 2018 the boundary was expanded to include the waterfront districts, except for the Cherry Street District. However, the portion of the Cherry Street District north of Cecil Malone is zoned for mixed
use development and there is development interest in this area, but the high cost of construction makes these projects challenging. In order to support these projects and allow for the development for this area, staff recommends expanding to the City density district to include the portion of the Cherry Street district north of Cecil Malone Drive.

Enclosed for your consideration is a draft resolution to amend the City CIITAP. For your reference I have also enclosed the IDA policies for workforce housing, local labor, and diversity and inclusion.

If you have any concerns or questions regarding this information, feel free to contact me at 274-6410.
1. **WHEREAS**, in 2017, the City reviewed the Community Investment Incentive Tax Abatement Program (CIITAP) in order to identify criteria that the City felt were important for approving projects for tax abatements, and

2. **WHEREAS**, in 2018, the Common Council amended the CIITAP process to add requirements for diversity, local labor, and workforce housing, and

3. **WHEREAS**, the current CIITAP process requires an applicant to complete the City application and meet the minimum criteria for location, density, size, municipal compliance, diversity, local labor, and workforce housing, and once an endorsement is received they must begin the application process for the Tompkins County Industrial Development Agency (IDA), and

4. **WHEREAS**, given that the IDA application has similar requirements for diversity, local labor, and workforce housing, which addresses all of the issues that Council identified, it is redundant and confusing for applicants to have two similar processes, and

5. **WHEREAS**, since the IDA is the agency that administers and monitors tax abatements, the City acknowledges that they are the appropriate body to set any criteria that requires ongoing monitoring, and a simplified application process will be beneficial to applicants and to the City, and

6. **WHEREAS**, in 2018, the City amended the boundary of the City density district, which is the required location for projects to be located within in order to apply to CIITAP process, and

7. **WHEREAS**, the amended boundary included all of the newly created waterfront zoning districts, with the exception of the Cherry Street District, and

8. **WHEREAS**, the portion of the Cherry Street District north of Cecil Malone is zoned for mixed use development and there is development interest in this area, but the high cost of construction makes these projects challenging, therefore, be it now
1. **RESOLVED**, that the City of Ithaca Common Council amends the City Density District to include the portion of the Cherry Street zoning district north of Cecil A Malone Drive, and be it further

2. **RESOLVED**, the City of Ithaca Common Council understands that the City’s Community Incentive Investment Tax Abatement Program continues to be a vital tool to encourage density in the City’s Density District, and be it further

3. **RESOLVED**, that the City acknowledges that the IDA tax abatement application includes similar criteria for local labor, diversity, and workforce housing, and in order to reduce confusion and eliminate redundancy, the City hereby amends the CIITAP criteria to remove the housing, local labor, and diversity requirements and only retains criteria for location, density, size, and municipal compliance.

   **Or**

3. **RESOLVED**, that the City acknowledges that the IDA tax abatement application includes similar criteria for local labor, diversity, and workforce housing, and in order to reduce confusion and eliminate redundancy, the City hereby requests that the IDA application include density, location, size, and municipal compliance requirements for any City projects, and hereby eliminates the City application process for tax abatement requests.
Tompkins County
Industrial Development Agency

Workforce Housing Policy
Adopted: July 8, 2020

The Tompkins County IDA supports the development of workforce housing. In addition to meeting any other requirements as set forth in the TCIDA Uniform Tax Exemption Policy, all multi-family rental housing project applicants will be subject to the Workforce Housing Policy as follows:

Applicants will be required to make a one-time payment to the Tompkins County Community Housing Development Fund. Payment will be made at time of closing.

The payment amount will be $5,000 multiplied by the total unit count and is due and payable at time of closing. This payment amount is based on a calculation of $25,000 per 20% of the total units in lieu of providing 20% of the units on-site as affordable units.

The payment is not required if the project applicant will set aside a minimum of 20% of the units available for households earning 80% or less of area median income and is subject to a regulatory agreement by a local, state or federal agency for compliance for a period of at least 20 years.

In general, the TCIDA delivers incentives to multi-family residential housing projects in the following areas:

- City of Ithaca’s Downtown Density District
- The redevelopment of a Brownfield site that is registered as a DEC inactive hazardous waste site
- Lansing Town Center Incentive Zone

The Community Housing Development Fund is a joint effort of Tompkins County, the City of Ithaca, and Cornell University and helps communities and organizations throughout Tompkins County respond to the diverse affordable housing needs of its residents. The benefits of supporting the Community Housing Development Fund include:

- Flexible funding for any type of affordable housing (rental and for sale units) at a mix of income levels
- The fund supports workforce housing countywide
- The fund has a proven track record
- Applicants generally leverage State and Federal funds to produce far more units per local subsidy provided than the TCIDA ever could.

This policy will be reviewed at least annually.
Local Labor Utilization Policy
Adopted: April 14, 2016

Policy is to apply to all IDA applications.

Applicants are encouraged to hire locally wherever possible. Applicants must solicit construction bids from local subcontractors and submit monthly construction labor reports during the construction period. This is an effort to collect data regarding local construction labor utilization. There is no minimum or maximum local construction labor utilization requirement.

Local is defined as anyone residing in Tompkins County, or any of the 6 contiguous counties of Cayuga, Seneca, Schuyler, Chemung, Tioga, and Cortland Counties. Zip codes will be used to determine local labor utilization rates. The IDA recognizes that some zip codes reach into other non-contagious counties, but determined this to be a relatively adequate indicator.

The following reporting information will be required:

Proof of Local Bids
The general contractor will provide (in a format acceptable to the IDA) a bid list with the name, address, contact information and detail of type of work for all firms that were solicited and documentation that an ‘invitation to bid’ was sent. If there are categories or types of work for which no bid was solicited from a local firm, a written explanation must be attached (i.e. no firms locally provide that service).

Construction Labor Reporting
The general contractor will provide monthly payroll reports for workers for all contractors and subcontractors on site. Monthly reports will cover any pay periods ending during that month. Reports will be submitted within 30 days of the end of each month during construction. The reporting format will be provided by the IDA and will include a written certification, similar to a certified payroll report. Reports will include the name of the individual or an identifying number, total hours, gross amount earned, and zip code of residence.

Electronic construction labor reporting forms may be obtained by contacting heatherm@tcad.org.
Diversity and Inclusion Policy
Adopted: October 10, 2018

Diversity and Inclusion
Single occupant projects (buildings developed specifically for one tenant or an owner-occupied facility) must commit to the following:

A. Actions:
   • Become and remain an active member of the Diversity Consortium of Tompkins County, a joint effort of local employers and leaders dedicated to promoting diversity and inclusion in Tompkins County. Active membership is defined as:
     o paying annual membership dues, (If the fee to participate exceeds $500 in a calendar year, the IDA may, at its discretion waive this requirement)
     o attending a minimum of four monthly meetings of the Consortium per calendar year,
     o participating in at least two of the approximately six trainings offered per year and
     o attending the bi-annual conference when offered;
   • Establish and implement management strategies for hiring, retention and promotion of women, people of color and people with disabilities for part-time, internship, and full-time positions at all levels of their organization with the goal of employing a workforce in which the number of women, people of color, and people with disabilities meets or exceeds a number in proportions equal to that of the population of the City of Ithaca, Tompkins County, and/or the proportions in the applicant business sector if data is available; and
   • Identify and implement specific actions designed to reduce and address unconscious workplace biases, such as annual staff training.

B. Reporting:
The project occupant will provide an annual report to the IDA and the City of Ithaca’s Workforce Diversity Advisory Committee (the latter only if the project is located in the City of Ithaca), on March 1st of each year of the abatement period. The annual report will be submitted in a format provided by the IDA detailing:
   • Workforce diversity goals, and strategies utilized each year to increase hiring, retention and promotion of women, people of color, and people with disabilities;
   • Actions taken to reduce and address unconscious workplace biases;
   • Workforce demographics by gender, race/ethnicity, age, disability, job class and gender, and job class and race/ethnicity; and
   • Compliance with active participation in the Diversity Consortium.

The City of Ithaca Workforce Diversity Advisory Committee (WDAC) developed the City of Ithaca Diversity Toolkit to assist employers meet the IDA diversity and inclusion requirements. The toolkit shall be made available with this policy.
To: Planning & Economic Development Committee  
From: Tim Logue, Director of Engineering  
Date: June 26, 2020  
Re: Black Diamond Trail trailhead in Cass Park

The New York State Department of Parks, Recreation and Historic Preservations (State Parks) adopted a master plan for the Black Diamond Trail (BDT) in 2008. The first phase of construction has been complete for a few years from Cass Park to Taughannock Falls State Park. It is a wonderful asset and has proven to be extremely popular. More recently, State Parks has expressed an interest in building a trailhead at the southern end where the BDT meets the Cayuga Waterfront Trail in Cass Park. State Parks proposes to be fully responsible for construction and ongoing maintenance of the area, which is otherwise on City parkland. State Parks is planning for construction in 2021. The Board of Public Works recommended approval of this item in March.

Please find attached the following materials for your review and approval:

- Preliminary design drawings showing the context, site plan and renderings for the trailhead
- A draft agreement with State Parks clarifying the ownership and maintenance responsibilities for the trailhead
- A resolution for Common Council to approve the project and to authorize the Mayor to execute the agreement with State Parks (or a substantially similar agreement should there be any final edits based on final reviews by State Parks, the City attorney’s office, DPW staff or the Ithaca Youth Bureau).
Resolution to Enter into an Agreement with New York State for the Black Diamond Trail trailhead in Cass Park

WHEREAS, in 2008, the New York State Department of Parks, Recreation and Historic Preservation (State Parks) adopted a Master Plan for the Black Diamond Trail, including environmental review in accordance with the State Environmental Quality Review act;

WHEREAS, State Parks has submitted a plan for a trailhead in Cass Park for the Black Diamond Trail; and

WHEREAS, the Board of Public Works recommended approval of the trailhead and associated agreement at their March 2020 meeting, and

WHEREAS, City Code Chapter 170 “Use of City Real Property” vests in the Common Council sole authority to grant approval of any agreement to make nontransitory use of City parkland, now therefore be it

RESOLVED, that Common Council hereby finds that State Parks’ proposal to construct and maintain the Black Diamond Trail trailhead supports the broader public recreational activities in Cass Park and for the State’s Black Diamond trail; and be it further

RESOLVED, that the Common Council hereby approves an agreement with State Parks to this end and authorizes the Mayor to execute such an agreement in consultation with the City Attorney.
COOPERATIVE OPERATION AND MAINTENANCE AGREEMENT
for the BLACK DIAMOND TRAIL TRAILHEAD in CASS PARK

THIS AGREEMENT, made this _________ day of ______________, 2020, between the City of Ithaca, with offices at 108 East Green Street, Ithaca, New York 14850 (hereinafter “CITY”), and the People of the State of New York, acting by and through the Commissioner of Parks, Recreation and Historic Preservation, with offices at 625 Broadway, Albany, New York, 12238 (hereinafter “PARKS”),

WITNESSETH THAT:

WHEREAS, the CITY currently has jurisdiction over and operates Cass Park, certain lands situated in the City of Ithaca including, but not limited to Tax Map Parcel No. 22.-1-1.1 (hereinafter “CASS”), and

WHEREAS, PARKS has constructed and maintains a trail known as the Black Diamond Trail, on state lands, extending from a point adjacent to Cass Park to Taughannock Falls State Park, and

WHEREAS, PARKS has expressed its desire, ability, and intent to develop, operate and maintain a Black Diamond trail trailhead on a portion of lands within CASS as shown on SCHEDULE A (hereinafter the “PROPERTY”) to provide a shelter, wayfinding, landscaping and related appurtenances for public park and recreational purposes, and

WHEREAS, pursuant to Section 3.09(2) of the Parks, Recreation and Historic Preservation Law (“PRHPL”), PARKS is authorized to directly or indirectly operate and maintain New York State historic sites, parks, parkways and recreational facilities by contract, lease or license, and

WHEREAS, pursuant to PRHPL Section 3.09(6), PARKS is authorized to encourage, promote and engage in cooperative recreational, educational, historic and cultural activities, projects and programs undertaken by any local governmental agency for the benefit of the public, and

WHEREAS, PARKS and the CITY recognize the need and desirability for public use of CASS as a component of the statewide and regional park system,

NOW, THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, PARKS and the CITY hereby agree as follows:

1. PARKS shall have the right to use, occupy and possess the PROPERTY for the term of this Agreement, for park, recreational, educational and/or conservation uses only, consistent with the master plan for the Black Diamond Trail adopted by PARKS in 2008 (the "2008 Master Plan"), subject to the terms and conditions of this Agreement. To the
extent that said 2008 Master Plan is amended inconsistent with the terms of this Agreement, the terms of this Agreement will control.

2. Except for such buildings, structures, or trails identified in the 2008 Master Plan, PARKS may not construct any buildings, structures, or other improvements on the PROPERTY without the prior written consent of the CITY. PARKS’ current site development plan for the Black Diamond Trail trailhead within CASS is attached hereto as Schedule B; such plan is consistent with the 2008 Master Plan and does not include any buildings, structures, or other improvements other than those already identified in the 2008 Master Plan.

3. PARKS shall assume the full cost and responsibility for the development, operation, maintenance, security and administration of the PROJECT, to standards comparable to those customarily applied to other state parks in Tompkins County.

4. Any improvements to the PROPERTY shall become the property of the CITY upon termination of this Agreement, unless the CITY directs PARKS in writing to remove the improvements and restore the PROPERTY to its current condition, which is primarily lawn. Should the City provide such direction, it shall give PARKS no less than 120 calendar days after termination (in accordance with paragraph 9) to remove the improvements and complete the restoration.

5. PARKS shall procure at its own cost and expense any and all permits, licenses and approvals necessary for the legal operation of the PROPERTY, and shall be solely liable for any costs or fees associated therewith.

6. This Agreement shall not be assigned, transferred or otherwise disposed of without the prior written approval of the CITY.

7. The PROPERTY shall be used for park, recreational, educational and/or conservation purposes only and shall be open and available to the general public on an equal basis and without a fee.

8. This Agreement shall commence on the date indicated above and shall remain in effect for a period of Twenty Five (25) years from said date with an option to renew this Cooperative Agreement for an additional term of Twenty Five (25) years upon the agreement of the parties. This Cooperative Agreement may be amended from time to time through the mutual agreement of PARKS and CITY but such amendment shall not be effective unless it is in writing and signed by each party. Either party at any time, may terminate this Agreement on not less than one (1) year’s written notice to the other party.

9. The PROPERTY shall be designated part of Cass Park. All signs, publications and other materials shall identify the PROPERTY as owned by the CITY and operated by PARKS under a cooperative agreement with the CITY.
10. All notices pertaining to this Cooperative Agreement shall be in writing delivered to the parties by hand, by commercial express courier service, by United States Express Mail, or by certified United States mail, postage prepaid, addressed to the parties at the addresses set forth below or such other address as either party may designate by notice. All notices shall be deemed given when received. Notices shall be addressed as follows:

To the CITY:  
Office of the Mayor  
City of Ithaca  
108 E. Green Street  
Ithaca, New York 14850

To PARKS:  
Regional Director, Finger Lakes Region  
NYS Office of Parks, Recreation and Historic Preservation  
2221 Taughannock Park Road  
P.O. Box 1055  
Trumansburg, NY 14866-1055

With a copy to: NYS Office of Parks, Recreation and Historic Preservation  
625 Broadway  
Albany, NY 12238  
ATT: Counsel’s Office

11. Nothing contained in this Cooperative Agreement shall be deemed or construed to mean that the State of New York acting through PARKS consents to a waiver of its sovereign immunity with respect to the activities, rights or responsibilities described herein.

12. Subject to the availability of lawful appropriations and consistent with Section 8 of the State Court of Claims Act and Section 17 of the Public Officers Law, PARKS shall be responsible for the final judgment of a Court of competent jurisdiction arising from injury to, or death of, any persons occurring within the PROPERTY or for damages to the PROPERTY, which are directly caused by and for the negligence of PARKS, its agents, officers or employees acting within the scope of their employment.

13. Appendix A Standard Clauses for New York State Contracts is attached hereto and made part hereof.
IN WITNESS WHEREOF, the parties have caused these presents to be executed on the day, month and year first written above.

CITY OF ITHACA

By: __________________________________________

Name:_________________________________________

Title: __________________________________________

PEOPLE OF THE STATE OF NEW YORK, acting by and through their Commissioner of Parks, Recreation and Historic Preservation

By: __________________________________________

Name:_________________________________________

Title: __________________________________________
ACKNOWLEDGEMENT

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

On the _____ day of_____ ______, in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared __________________________________________ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_________________________________________  
Notary Public  

STATE OF NEW YORK  }  
COUNTY OF ALBANY  } ss.:  

On the _____ day of_____ ______, in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared __________________________________________ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_________________________________________  
Notary Public
SCHEDULE B
Black Diamond Trail
Trailhead at Cayuga Waterfront Trail

CONTEXT MAP

I" = 100'
SITE PLAN

Black Diamond Trail
Trailhead at Cayuga Waterfront Trail

TURTLE LANE
CAYUGA WATERFRONT TRAIL
TRAIL BUFFER
FUTURE ITHACA CHILDREN'S GARDEN AND TRAIL PARKING
BLACK DIAMOND TRAIL
PROPOSED BICYCLE PARK

N

1" = 20'
Black Diamond Trail
Trailhead at Cayuga Waterfront Trail
BLACK DIAMOND TRAIL ENTRANCE
Black Diamond Trail
Trailhead at Cayuga Waterfront Trail
PLAZA FROM SOUTH EAST
Chair Seph Murtagh called the meeting to order at 8:10 p.m.

1. Call to Order/Agenda Review

Chair Murtagh stated that due to the special meeting prior to the start of this meeting he asked that we be mindful of the time.

2. Public Comment

Theresa Alt, 206 Eddy Street, she is glad to see the city is reviewing the short-term rentals, i.e., AirBnBs. She looks forward to seeing further review of owner-occupancy ADUs. She also reported on what she has been told from other people. She suggested the City should begin to opt-in into the emergency tenant protection act particularly now with the COVID-19 pandemic. There should be a moratorium on evictions.
Alderperson Brock agreed with Theresa Alt’s comments.

3) Special Presentation – Cayuga Street Bridge Project

City Bridge Engineer Addisu Gebre provided a presentation on this project and the three (3) different alternatives to be considered.

4) Announcements, Updates, Reports

5) Action Items (Voting to Send on to Council)

a) Cayuga Street Bridge Project

South Cayuga Street Bridge Project - DESIGN ALTERNATIVES DECISION (Alternative #2) Resolution

Moved by Alderperson Smith; seconded by Alderperson Fleming to move both Alternative II and III to the whole Council.

South Cayuga Street Bridge Project - DESIGN ALTERNATIVES DECISION (Alternative #2) Resolution

WHEREAS, a project for the rehabilitation of the South Cayuga Street Bridge over Six Mile Creek, P.I.N. 375616 (“the Project”) is eligible for funding under Title 23 U.S. Code as administered by the Federal Highway Administration (FHWA), as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the existing South Cayuga Street Bridge (“the Bridge”) is a single span, two-lane multiple steel girder bridge carrying South Cayuga Street over the Six Mile Creek, and

WHEREAS, As part of the approved 2018 budget, Common Council already authorized $155,000 (80% Federal Share and 20% Local Share) to cover the cost of participation in Scoping and Preliminary Design Phases and additional $25,000 (100% Local Share) to cover project administration cost; and

WHEREAS, additional $210,000 (80% Federal and 20% Local Share) project funding for the project made available by the New York State Department of Transportation to cover the cost of participation in Detailed Design; and

WHEREAS, on June 6, 2018, the City of Ithaca Common Council amended CP#848 to add $210,000 for a total of $390,000; and
WHEREAS, currently, the City of Ithaca and project consultant (Delta Engineers, Architects, & Land Surveyors, P.C.) are working on the Project, and

WHEREAS, three possible alternatives for this bridge are being considered: Bridge Alternative #1, which includes bridge rehabilitation (13 ft. lanes/5-5” sidewalks), Bridge Alternative #2, which includes bridge rehabilitation (13 ft. lanes/ 8ft. sidewalks) including widening the substructure, and Bridge Alternative #3, which includes full bridge replacement (13 ft. lanes/8ft. sidewalks), and

WHEREAS, Department of Public Works has decided to allocate $200,000 in Consolidated Local Street and Highway Improvement Program (CHIPS) fund to be used as a local match to cover construction cost of Alternative #2; and

WHEREAS, the proposed project costs for the alternatives are outlined as follows:

<table>
<thead>
<tr>
<th>Design Alternative</th>
<th>Estimated Total Project Cost</th>
<th>City of Ithaca Share</th>
<th>Federal Highway Administration Share</th>
<th>CHIPS Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>$2,070,000</td>
<td>$434,000</td>
<td>$1,636,000</td>
<td>$0</td>
</tr>
<tr>
<td>#2</td>
<td>$2,564,000</td>
<td>$794,000</td>
<td>$1,570,000</td>
<td>$200,000</td>
</tr>
<tr>
<td>#3</td>
<td>$3,840,000</td>
<td>$2,026,000</td>
<td>$1,614,000</td>
<td>$200,000</td>
</tr>
</tbody>
</table>

WHEREAS, the City of Ithaca Common Council has reviewed the 3 alternatives as presented on March 11, 2020; now, therefore be it

RESOLVED, That the City of Ithaca Common Council hereby selects Alternative #2 as the preferred alternative with an estimated total project cost of $2,564,000; and, be it further

RESOLVED, That the City of Ithaca Common Council hereby amends CP#848 to add $2,174,000 for a total of $2,564,000; and, be it further

RESOLVED, That funds needed for said project shall be derived from the issuance of Serial Bonds with the City’s estimated share of the project cost not to exceed 30.97% or $794,000; and it is further

RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, Common Council of the City of Ithaca shall convene as soon as possible to appropriate said excess amount immediately upon the notification by New York State Department of Transportation thereof, and be it further

RESOLVED, That the Mayor of the City of Ithaca of the County of Tompkins be and is hereby authorized to sign all necessary Agreements with New York State Department of Transportation to secure Federal Aid and Marchiselli Aid on behalf of the City of Ithaca and the Superintendent of Public Works is authorized to sign all necessary construction documents, contracts, certifications and reimbursement requests, and be it further

RESOLVED, that the Superintendent of Public Works be and is hereby authorized to administer the above project, and be it further
RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, that this Resolution shall take effect immediately

South Cayuga Street Bridge Project - DESIGN ALTERNATIVES DECISION (Alternative #3) - Resolution

WHEREAS, a project for the replacement of the South Cayuga Street Bridge over Six Mile Creek, P.I.N. 375616 (“the Project”) is eligible for funding under Title 23 U.S. Code as administered by the Federal Highway Administration (FHWA), as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the existing South Cayuga Street Bridge (“the Bridge”) is a single span, two-lane multiple steel girder bridge carrying South Cayuga Street over the Six Mile Creek, and

WHEREAS, As part of the approved 2018 budget, Common Council already authorized $155,000 (80% Federal Share and 20% Local Share) to cover the cost of participation in Scoping and Preliminary Design Phases and additional $25,000 (100% Local Share) to cover project administration cost; and

WHEREAS, additional $210,000 (80% Federal and 20% Local Share) project funding for the project made available by the New York State Department of Transportation to cover the cost of participation in Detailed Design; and

WHEREAS, on June 6, 2018, the City of Ithaca Common Council amended CP#848 to add $210,000 for a total of $390,000; and

WHEREAS, currently, the City of Ithaca and project consultant (Delta Engineers, Architects, & Land Surveyors, P.C.) are working on the Project, and

WHEREAS, three possible alternatives for this bridge are being considered: Bridge Alternative #1, which includes bridge rehabilitation (13 ft. lanes/5-5” sidewalks), Bridge Alternative #2, which includes bridge rehabilitation (13 ft. lanes/ 8ft. sidewalks) including widening the substructure, and Bridge Alternative #3, which includes full bridge replacement (13 ft. lanes/8ft. sidewalks), and

WHEREAS, Department of Public Works has decided to allocate $200,000 in Consolidated Local Street and Highway Improvement Program (CHIPS) fund to be used as a local match to cover construction cost of Alternative #3; and

WHEREAS, the proposed project costs for the alternatives are outlined as follows:

<table>
<thead>
<tr>
<th>Design Alternative</th>
<th>Estimated Total Project Cost</th>
<th>City of Ithaca Share</th>
<th>Federal Highway Administration Share</th>
<th>CHIPS Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>$2,070,000</td>
<td>$434,000</td>
<td>$1,636,000</td>
<td>$0</td>
</tr>
</tbody>
</table>
WHEREAS, the City of Ithaca Common Council has reviewed the 3 alternatives as presented on March 11, 2020; now, therefore be it

RESOLVED, That the City of Ithaca Common Council hereby selects Alternative #3 as the preferred alternative with an estimated total project cost of $3,840,000; and, be it further

RESOLVED, That the City of Ithaca Common Council hereby amends CP#848 to add $3,450,000 for a total of $3,840,000; and, be it further

RESOLVED, That funds needed for said project shall be derived from the issuance of Serial Bonds with the City’s estimated share of the project cost not to exceed 52.8% or $2,026,000; and, it is further

RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, Common Council of the City of Ithaca shall convene as soon as possible to appropriate said excess amount immediately upon the notification by New York State Department of Transportation thereof, and be it further

RESOLVED, That the Mayor of the City of Ithaca of the County of Tompkins be and is hereby authorized to sign all necessary Agreements with New York State Department of Transportation to secure Federal Aid and Marchiselli Aid on behalf of the City of Ithaca and the Superintendent of Public Works is authorized to sign all necessary construction documents, contracts, certifications and reimbursement requests, and be it further

RESOLVED, That the Superintendent of Public Works be and is hereby authorized to administer the above project, and be it further

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

RESOLVED, That this Resolution shall take effect immediately

6) Discussion

a) Short-Term Rentals

Tom Knipe asked the committee how they would like to go forward on short-term rentals in addition to ADUs.

He stated that the County is seriously considering buying the software to keep track of short-term rentals. The City will work along with the County.
Alderperson Fleming stated she thinks short-term rentals should be regulated. She would, however, like to see the short-term rentals longer than a week or weekend, but more for a semester.

Also in agreement that short-term rentals should be regulated are Alderpersons Murtagh, Smith, and Brock.

Alderperson Brock asked whether there be some saturation number of units. She is very fearful that is concerned about Air BnB saturation in R1 and R2 neighborhoods. She supports an owner-occupancy requirement which would prohibit one individual from owning and managing several short-term rentals.

Tom Knipe asked for a consensus of the committee as to what they would like to allow. What about a duplex and the homeowner is present but the other side is used as short-term rental?

Alderperson Fleming would like to see the other side rented out all the time not as an AirBnB.

A staff suggestion was to allow AirBnBs in the R1 and R2 zones.

Chair Murtagh stated that a 90-day rental restriction may be problematic. Many homeowners need to rent out the other half of the duplex in order to afford it. However, it is hard work. He would like to give homeowners more flexibility.

He does not support the owner-occupied restriction on an ADU.

Alderperson Brock stated with owner occupancy and enforcement, it’s something to consider. She is very cautious of transient rentals.

Alderperson Fleming would like to see it in the R3 zone as well.

The committee agreed any AirBnB needs to be regulated and hold a certificate to do so.

b) Accessory Dwelling Units / Short-Term Rentals

Alderperson Smith stated that there may be a significant land grab unless we regulate it. He thinks a community meeting is the key.

Alderperson Brock stated she would like to see review ADUs and Short-Term Rentals at the same time.

Alderperson Lewis is in favor of going forward with the ADUs knowing that short-term rentals would also be looked at.
It was decided that the ADUs will be looked at again.

c) Mobile Home Zoning to Allow Chickens

Chair Murtagh stated that people in the Nate’s Floral Estates mobile home park have asked about raising chickens. The zoning states that six (6) hens may be allowed for each parcel. Nate’s Alderperson Floral Estates is one (1) parcel. Alderperson Brock stated that DEC has confirmed that the surface soils at Nate’s Floral Estates does not meet our registered unrestricted residential soil standards and no gardening is allowed.

This will be looked at further.

7) Review and Approval of Minutes

   a) December 2019 and January 2020 minutes were not ready.

8) Adjournment

Moved by Alderperson Smith; seconded by Alderperson Lewis. Carried unanimously. The meeting was adjourned at 9:10 p.m.