



# CITY ADMINISTRATION COMMITTEE OF THE WHOLE

Date: Wednesday, April 28, 2021  
 Time: 6:00 PM  
 Location: [YouTube Channel](#)

## REVISED

Item	Voting Item?	Presenter(s)	Time Allotted
		Chair, Deb Mohlenhoff	
1. Call to Order	No		
1.1 Agenda Review			
1.2 Review and Approval of Minutes			
Approval of March 24, 2021 Minutes	Yes		
1.3 Statements from the Public		Sign up for public comment here: <a href="https://bit.ly/3pDc1LD">https://bit.ly/3pDc1LD</a>	
Up to 40 members of 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.		*Submit written comments here: <a href="https://j.mp/2XUYUdW">https://j.mp/2XUYUdW</a>	
1.4 Council's Response			
2. Consent			
2.1 DPW – Reallocation of Position	Yes		5 Min
2.2 DPW – Request to Allocate Contingency Funds to Community Beautification Program			
2.3 IFD – Request to Amend Roster			
3. Action Items			
3.1 IURA - Community Housing Development Fund, Round #20 – Authorize Disbursement of Funds Pursuant to an Executed MOU	Yes	Nels Bohn, IURA Director	5 Min
3.2A IURA – Environmental Review	Yes	Nels Bohn, IURA Director	5 Min
3.2B IURA – Declaration of Lead Agency		Nels Bohn, IURA Director	5 Min
3.2C IURA – Action		Nels Bohn, IURA Director	5 Min
3.3 DPW – Walkable Ithaca: Giles Street Sidewalk Project	Yes	Tim Logue, Dir of Engineering	5 Min
3.4 DPW – South Albany Street Bridge Project	Yes	Addisu Gebre, Bridge Engineer	5 Min
3.5 WWTP – Approval of Water Easement		Scott Gibson, Acting Asst. Supt	5 Min
3.6 WWTP – Emergency Repairs – Sludge Blowers	Yes	Scott Gibson, Acting Asst. Supt	5 Min
3.7 WWTP – Emergency Repairs - Digester	Yes	Scott Gibson, Acting Asst. Supt	5 Min
3.8 Common Council - One Year Extension of TCAT Agreement	Yes	Dan Cogan, Chief of Staff	5 Min
3.9 Mayor – Increase in hours for certain positions	Yes	Dan Cogan, Chief of Staff	5 Min
3.10 Mayor – Community Justice Center	Yes	Svante Myrick, Mayor	10 Min
3.11 PBZED – Examining Board of Elections	Yes	JoAnn Cornish, PBZED Director	5 Min
4. Discussion			
4.1 The Code of the City of Ithaca, New York Chapter 325, Article VA – Telecommunications Facilities and Services, and Chapter 152, Article II – Telecommunications	No	All	20 Min
4.2 Governance Working Group	No	Deb Mohlenhoff, Chair	20 Min
4.3 MATCom and Snow Removal Survey	No	Eric Lerner	20 Min
5. Meeting Wrap-Up	No	All	5 Min
5.1 Announcements			
5.2 Next Meeting Date: May 26, 2021			
5.3 Review Agenda Items for Next Meeting			
5.4 Adjourn			

This meeting can be viewed via livestream on: <https://j.mp/2AWrkvg>

**.2 Consent**

**.1 DPW – Reallocation of Position – Chief Water Treatment Plant Operator**

WHEREAS, the Superintendent of Public Works requested a review of the Chief Water Treatment Plant Operator position pursuant to the terms of the City Executive Association labor contract; and

WHEREAS, the review determined that a permanent and material growth in the position's responsibilities has occurred; and

WHEREAS, the Human Resources Department reviewed the point factor evaluation of the Chief Water Treatment Plant Operator position and determined that the growth in responsibilities merits an increased point factor rating, which results in the reallocation of the position to a higher salary grade; now, therefore, be it

**RESOLVED**, That the position of Chief Water Treatment Plant Operator be reallocated from Grade 7 to Grade 8 of the City Executive Association Compensation Plan, and be it further

**RESOLVED**, That funding in the amount of \$5,820.85 to cover the resulting salary increase retroactive to February 3, 2021 shall be derived from Account # F8330-5110

## **2. Consent**

### **.2 DPW - Request to Allocate Contingency Funds to Community Beautification Program**

WHEREAS, the aesthetics of our community are important for the quality of life for City of Ithaca residents as well as providing a positive impression for tourists to our city; and

WHEREAS, Public Works projects in the City often have a landscaping component as part of the design and these additions have outpaced the City staff's ability to keep up with the associated need for skilled maintenance; and

WHEREAS, Park and greenspace use has seen a vast increase during this past year and it is imperative these areas of respite remain attractive, inviting, well maintained and safe spaces; and

WHEREAS, the City has partnered with the Tompkins County Community Beautification Program for years in the maintenance of public green spaces and gardens, however their budget is largely dependent on Tourism tax funding which has drastically decreased since 2020 and they are unable to provide additional maintenance to City gardens without additional financial support; and

WHEREAS, contributing financially to this program in return for additional support in City gardens is the most efficient use of City funds to solve this maintenance need; and

WHEREAS, the current City Parks and Forestry Budget does not have funds available to contribute to said program; and

WHEREAS, the current balance in the Unrestricted Contingency Account is \$120,000; now, therefore, be it

**RESOLVED**, That Common Council hereby transfers an amount not to exceed \$7000 from Account A1990-5000 Unrestricted Contingency to Account A7111-5435 Parks Contracts to contribute to the County Beautification Program for the purpose of adding one seasonal staff position to incorporate maintenance of 10 gardens locations (38 garden beds) in City parks, along the waterfront trail, or within traffic calming features around the City.

## **2. Consent**

### **.3 IFD - Amendment to Personnel Roster**

WHEREAS, a Fire Lieutenant has been on an extended injury leave and is not expected to be able to return to duty; and,

WHEREAS, the Ithaca Fire Department maintains minimum staffing levels in which this position plays a critical supervisory role; and

WHEREAS, the interim practice of filling this vacancy through the use of temporary appointments is not sustainable on a long term basis; now, therefore, be it

**RESOLVED**, That the personnel roster of the Ithaca Fire Department be amended as follows:

Add: One (1) Fire Lieutenant

and be it further

**RESOLVED**, That one Fire Lieutenant position shall automatically be deleted from the Ithaca Fire Department personnel roster upon the retirement of the injured Fire Lieutenant, and be it further

**RESOLVED**, That funding for this change shall come from within the approved 2021 Ithaca Fire Department budget.

**3. Action Items**

**.1 IURA – Community Housing Development Fund, Round #20 – Authorize Disbursement of Funds Pursuant to an Executed MOU**

WHEREAS, the Community Housing Development Fund (CHDF) was established in 2009, and renewed in 2015, by Memorandum of Understanding (MOU) among and between the City of Ithaca, Tompkins County and Cornell University to raise and award funds to increase the supply of permanently affordable housing in the County; and

WHEREAS, for 2019, Cornell University contributed \$300,000 to the CHDF and the City of Ithaca and Tompkins County each contribute \$200,000 available for Round #20; and

WHEREAS, the Common Council determined that City contributions to the CHDF should be used solely to assist those projects located within the City of Ithaca; and

WHEREAS, the Program Oversight Committee, which includes three City appointees, reviews, and recommends projects for awards, including the amount and funding source; and

WHEREAS, the City of Ithaca Common Council retains authority to approve, modify or reject the POC’s recommendation for use of City funds; and

WHEREAS, action to authorize disbursement of City funds requires prior completion of environmental review for housing projects; and

WHEREAS, the POC recommends the following affordable housing projects for funding:

Community Housing Development Fund							
Round #20 Recommended Funding Awards							
Applicant	Project	# Units	Municipality	Funding (\$1,000s)			
				Cornell	County	City	Total
INHS	Founders Way	75 rentals	(C) Ithaca	60	0	240	300
INHS	Village Grove Apartments	46 rentals	(V) Trumansburg	300	0	0	300
Park Grove Realty	Carpenter Park Apartments	42 rentals	(C) Ithaca	100	200	0	300
<b>Totals</b>		<b>163 units</b>		<b>460</b>	<b>200</b>	<b>240</b>	<b>900</b>

and,

WHEREAS, pursuant to the MOU, Tompkins County administers the CHDF, including collection of contributions to the CHDF and distribution of funds to project sponsors; and

WHEREAS, the Founders Way project completed environmental review by the City Planning and Development Board; and

WHEREAS, annual City contributions to the CHDF are placed in Restricted Contingency, now; therefore, be it

**RESOLVED**, that the Common Council for the City of Ithaca hereby authorizes an expenditure of up to \$240,000 to Tompkins County for the following affordable housing project to implement the recommended funding award for rounds #20 of the Community Housing Development Fund:

Project Name: Founders Way (previously known as Immaculate Conception School Redevelopment)  
Location: 320 W. Buffalo Street, Ithaca, NY  
Applicant: INHS  
Project Summary: Conversion of former school to 75-unit rental housing

And be it further,

**RESOLVED**, That Common Council hereby transfers an amount not to exceed \$200,000 from the Restricted Contingency Account A1990-5000 Housing Funds to Account A8020-5435 Planning Contracts; and be it further,

**RESOLVED**, That \$240,000 be appropriated from the current balance in the Housing fund of \$422,200, to fund the \$240,000 City portion of the City/County/Cornell Housing Trust for the above listed project; and be it further

**RESOLVED**, that the Mayor, subject to advice of the City Attorney, is hereby authorized to execute a fiscal agency agreement with Tompkins County to implement this resolution.

### **3. Action Items**

#### **.2A Third MOU with Tompkins County and Cornell University to Continue the Community Housing Development Fund Thru 2027 – Declaration of Lead Agency**

WHEREAS, the State Environmental Quality Review Act (“SEQRA”) and Chapter 176 of the City Code, the City Environmental Quality Review Ordinance (“CEQRO”), require that a lead agency be established for conducting environmental review of any action subject to such review, in accordance with state and local environmental law, and

WHEREAS, SEQRA specifies that the lead agency shall be that agency which has primary responsibility for approving, funding or carrying out the proposed action, and

WHEREAS, the proposed action is execution of a third consecutive 6-year Memorandum of Understanding (“MOU”) among and between Tompkins County, the City of Ithaca and Cornell University to continue the Housing Fund program to increase the supply of affordable housing, and the commitment of funding under the MOU, which is an “Unlisted” Action pursuant to CEQRO, thereby requiring environmental review; and

WHEREAS, Tompkins County has conducted a separate environmental review on their authorization to execute the proposed MOU, and

WHEREAS, no other agency has jurisdiction to fund, approve or undertake the action; now, therefore, be it

**RESOLVED**, That the Common Council of the City of Ithaca does hereby declare itself as lead agency for the environmental review of this proposed action.

### **3. Action Items**

#### **.2B IURA - Third MOU with Tompkins County and Cornell University to Continue the Community Housing Development Fund Thru 2027 – Environmental Review**

WHEREAS, the Common Council is considering execution of a third consecutive 6-year Memorandum of Understanding (“MOU”) among and between Tompkins County, the City of Ithaca and Cornell University to continue the Housing Fund program to increase the supply of affordable housing, and the commitment of funding under the MOU, and

WHEREAS, the City of Ithaca Common Council declared itself Lead Agency for the environmental review of this proposed action, and

WHEREAS, the proposed action is categorized as an “Unlisted” action under the City Environmental Quality Review Ordinance (CEQRO), and

WHEREAS, each housing project assisted through the Housing Fund program will undergo a separate environmental review as a condition of receipt of financial assistance, and

WHEREAS, the City of Ithaca Common Council, acting as Lead Agency for the environmental review, has reviewed and accepted as adequate a Short Environmental Assessment Form, prepared by Ithaca Urban Renewal Agency staff; now, therefore, be it

**RESOLVED**, That the City of Ithaca Common Council hereby determines that the proposed action will result in no significant impact on the environment and that a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be filed in accordance with the provisions of Part 617 of the State Environmental Quality Review Act.



**3. Action Items**

**.2C IURA – Third MOU with Tompkins County and Cornell University to Continue the Community Housing Development Fund Thru 2027 – Action**

WHEREAS, in 2009 and 2015, the Common Council authorized the Mayor to execute 6-year Memorandums of Understanding (MOU) among and between the City of Ithaca, Tompkins County and Cornell University to establish the Community Housing Development Fund (CHDF) and provide financial assistance for the creation of affordable housing units; and

WHEREAS, since its inception the CHDF has awarded approximately \$5.4 million to assist 815 affordable housing units with an estimated total project cost of \$247 million; and

WHEREAS, per the third MOU, the parties agree to the following minimum funding contributions over six years:

\$1,200,000	Cornell University
\$600,000	Tompkins County
<u>\$600,000</u>	<u>City of Ithaca</u>
\$2,400,000	Total, and

WHEREAS, the City of Ithaca continues to experience a severe housing affordability problem where 63% of all renter households, and 17% of homeowner households, are financially stressed by paying more than 30% of income for housing; and

WHEREAS, the CHDF funding has proven to be an effective tool to expand the supply of quality, affordable housing units located near services, jobs, and transit; and

WHEREAS, the CHDF is managed by the Program Oversight Committee (POC) made up of representatives from each signatory; and

WHEREAS, current POC representatives of the City are:

- Chris Proulx
- Ducson Nguyen
- Seph Murtagh
- George McGonigal; and

WHEREAS, the POC recommends approval of the third MOU; and

WHEREAS, environmental review of this matter has been completed; now, therefore, be it

**RESOLVED**, The Mayor is hereby authorized, subject to review by the City Attorney, to execute the third Memorandum of Understanding to continue the Community Housing Development Fund program through 2027, and be it further

**RESOLVED**, That upon full execution of the MOU, the City's annual funding commitment under the MOU shall be derived from an annual appropriation included the municipal budget and/or from other funding sources as determined by Common Council, and be it further

**RESOLVED**, That the Common Council shall separately approve each funding award of City funds provided pursuant to the MOU.

### **3. Action Items**

#### **.3 DPW – Walkable Ithaca: Giles Street Sidewalk Project**

WHEREAS, a Project for the Walkable Ithaca: Giles Street Sidewalk Project, NYS DEC Contract#DEC01-C01073GG-3350000 (the “Project”) has been awarded a Climate Smart Community Grant through the NYS DEC; and

WHEREAS, the City of Ithaca desires to advance the Project by making a commitment of 100% of the costs of Construction and Construction Inspection; and

WHEREAS, the Board of Public Works, acting as the lead agency, declared on December 15, 2020, that the project would not have a significant negative environmental impact in accordance with the City Environmental Quality Review Ordinance and the New York State Environmental Quality Review Act; and

WHEREAS, on November 4, 2020, Common Council approved the 2021 SID #2 Work Plan, which included creating \$250,000 SID#2 Capital Project; and

WHEREAS, on April 27, 2021, construction bids will be opened and the qualified, low-bidder will be selected, and in order to award the contract, the City needs to create a capital project; now, therefore be it

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

**RESOLVED**, That the Common Council hereby authorizes the City of Ithaca to pay in the first instance 100% of the cost of Construction and Inspection work for the Project or portions thereof; and be it further

**RESOLVED**, That the sum of \$800,000 be hereby appropriated from the issuance of serial bonds and made available to cover the cost of participation in the above phase of the Project; and be it further

**RESOLVED**, That Common Council hereby creates Capital Project #886, to be funded from the following sources:

- \$266,500 NYS DEC Grant
- \$250,000 approved via 2021 SID#2 Capital Project
- \$250,000 from CHIPS reimbursement
- \$33,500 SID#2 fund balance

and be it further

**RESOLVED**, That the Superintendent of Public Works of the City of Ithaca be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests on behalf of the City of Ithaca in connection with the advancement or approval

of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of state-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

**RESOLVED**, That this project be undertaken with the understanding that the final cost of the Project to the City of Ithaca General Funds will be roughly 0% of said portion, currently estimated at \$0.00 of the \$800,000 authorized for this portion of the project, in monies and in-kind services as managed by the Superintendent of Public Works and monitored by the City Controller.

### **3. Action Items**

#### **.4 DPW – South Albany Street Bridge Project**

WHEREAS, a project for the rehabilitation of the South Albany Street Bridge over Six Mile Creek, P.I.N. 375668 (“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 City of Ithaca desires to advance the Project by making a commitment of 100% of the non-Federal share of the costs of Scoping, Preliminary Design, and Detailed Design; and

WHEREAS this project constitutes a reconstruction of facility in-kind on the same site as well as maintenance or repair involving no substantial change in an existing facility, and is therefore a Type II action under the National Environmental Policy Act (NEPA) Regulation and in accordance with 6 NYCRR Part 617 requiring no environmental review; and

WHEREAS, on March 4, 2020, Common Council authorized \$155,000 to cover the cost of participation in Scoping and Preliminary Design; and

WHEREAS, on February 26, 2021, an additional \$210,000 project funding made available by the New York State Department of Transportation to cover the cost of participation in Detailed Design; now, therefore be it

**RESOLVED**, That the Common Council hereby authorizes the City of Ithaca to pay in the first instance 100% of the Federal and non-Federal share of the cost of Detailed Design thereof; and be it further

**RESOLVED**, That Common Council hereby amends Capital Project #879 by an amount not to exceed of \$210,000 for a total project authorization of \$365,000 for the purpose of covering the cost of participation in the above phase of the project; and be it 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 the NYSDOT thereof; 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 5% or \$18,250; 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.

### **3. Action Items**

#### **.5 WWTP – Approval of Permanent Water and Access Easements and Rights-of-Way for City of Ithaca Water Main**

WHEREAS, pursuant to the Joint Sewer Agreement (revised December 31, 2003, and last amended February 20, 2019) among the City of Ithaca, Town of Ithaca and Town of Dryden (collectively, the “Municipal Owners”), the Municipal Owners presently own, operate and maintain the Ithaca Area Wastewater Treatment Facility (“IAWWTF”), located at 525 Third Street in the City of Ithaca, on property owned by them and described in the Warranty Deed with Lien Covenant dated December 22, 2011, which was recorded in the Tompkins County Clerk’s Office on December 27, 2011 as Instrument Number 585279-001, Tax Map Parcel Number 24.-1-1.2 (“IAWWTF Property”); and

WHEREAS, the City has requested permission to construct and install a water main on IAWWTF Property from the northern IAWWTF Property boundary on Cascadilla Creek to Station 2+05, and from Station 2+05 to Station 0+00 (“New Water Main”), which New Water Main will connect to an existing water main owned by the City and located on the IAWWTF Property, all as depicted in the Utility Plan Sheet C402 drawing titled “Phase 1 City Harbor Development, City Harbor, LLC and the Guthrie Clinic, 101 Pier Road, Ithaca, New York” initially dated July 14, 2020, and last revised on April 9, 2021; and

WHEREAS, the New Water Main benefits the IAWWTF and Municipal Owners because the New Water Main will (a) create a loop in the City’s water distribution system that will provide water service redundancy to the IAWWTF; (b) eliminate water quality issues at the existing dead-end City water main located on the IAWWTF Property; and (c) significantly increase fire flows to the IAWWTF Property; and

WHEREAS, at its April 14, 2021, meeting, the Special Joint Committee of the IAWWTF (“SJC”) reviewed, discussed, and approved the proposed Permanent Water and Access Easements and Rights-of-Way for City of Ithaca Water Main; now, therefore, be it

**RESOLVED**, That Common Council hereby approves the attached Permanent Water and Access Easements and Rights-of-Way for City of Ithaca Water Main.

### **3. Action Items**

#### **.6 WWTP- Emergency Repairs – Activated Sludge Blowers**

WHEREAS, the activated sludge process is a secondary treatment component at the Ithaca Area Wastewater Treatment Facility, and

WHEREAS, biological growth in the activated sludge tanks is maintained through aeration, the process of mixing compressed air (oxygen) with settled wastewater in the process tanks to sustain biological treatment, and

WHEREAS, the Ithaca Area Wastewater Treatment Facility has two (2) Turblex and two (2) Hoffman industrial grade blower(s) to provide compressed air to treatment processes, and

WHEREAS, both of the Turblex blowers suffered catastrophic bearing and impeller failures in December 2020, and March 2021, respectively, eliminating system redundancy, and

WHEREAS, a recent failure analysis, diagnostic and service report provided by BCV Systems substantiated these catastrophic failures, and

WHEREAS, in accordance with State standards, the facility cannot operate as designed without having a redundant means for aeration, and

WHEREAS, in a recent April 23, 2021 MRB Group consultants draft report to evaluate a replacement blower alternative, the Turblex Blowers are identified as a type which need to typically operate at 50 – 100% of their rated airflow to perform within specifications, and

WHEREAS, in that same report, Attachment 1 shows that the high speed turbo Turblex Blowers likely operated below their rated airflow on a regular basis, which could have caused mechanical concerns including surging, and

WHEREAS, a rotary screw design blower is a recommended replacement which is a different mechanical design which would operate within IAWWTF efficiency parameters, and

WHEREAS, in comment 4 of the report, MRB notes that the need for replacement is “urgent” and states many operational concerns which constitute an “emergency,” including lack of aeration redundancy, lack of fine aeration control, potential SPDES permit exceedances, growth of filaments, and other problems which require additional maintenance, and

WHEREAS, a factory rebuild of the two (2) Turblex blowers, along with associated programming, and mechanical modifications would allow the reinstatement of the Turblex blowers at a cost significantly below the cost of replacement, and



WHEREAS, MRB evaluated three vendors as options for recommended replacement of the Turblex Blowers with an estimated average cost of \$328,000, now, therefore be it

**RESOLVED**, That the Special Joint Committee recommends to its municipal boards that they approve the rebuild or replacement of two (2) Turblex blowers for a cost, including contingencies, not to exceed the sum total of Four Hundred Thousand Dollars (\$400,000) and, be it further

**RESOLVED**, That funds necessary for said repairs be derived from the following sources as determined by the City Controller; operating funds, fund balance, serial bonds, capital reserves, grants and Federal stimulus.

## **.7 WWTP – Emergency Repairs – Primary Digester**

WHEREAS, primary and secondary sludge digestion is a vital process at the Ithaca Area Wastewater Treatment Facility (IAWWTF), and

WHEREAS, digestion is necessary in dewatering and stabilizing solids for disposal, biogas production for heating and electrical generation, and in the receipt of trucked in wastes, a revenue generating service, and

WHEREAS, on the night of March 11-12, 2021, a blockage caused by excessive debris in the primary digester overflow line caused the liquid level in the tank to surge upwards and lift the digester cover approximately 18 inches, breaking anchor bolts, mounts, and concrete, and

WHEREAS, the immediate blockage was relieved by Drain Brain sewer service and the excess liquid was drained, allowing the primary digester cover to settle back into place but it is no longer anchored in place, and

WHEREAS, the digester will need extensive repairs to the cover, anchorage system, and sludge piping and valves to remove further blockages and restore reliable digester operations, and

WHEREAS, in accordance with standards, the facility cannot operate as designed without the primary digester in operation, and

WHEREAS, the loss of sludge management and treatment provided by this facility presents many concerns including, but not limited to, the inability to adequately maintain appropriate sludge treatment standards, the potential inability to meet plant SPDES permit requirements, the inability to adequately process sludge, increases in trucking, hauling, and disposal costs, the inability to properly receive trucked in waste from regional sources that rely on the IAWWTF for treatment, the potential loss of revenue, and increases in costly plant energy consumption, and

WHEREAS, in a draft April 26, 2021 letter by GHD Consultants hired to evaluate emergency repairs for the primary digester, the opening narrative states that the issues with the Primary Digester and associated equipment constitute an “emergency situation” which requires immediate action on the part of the IAWWTF, and

WHEREAS, the letter identifies several actions for the Primary Digester including removal of contents, repair of the anchoring system, evaluation, cleaning, and inspection of the piping system(s), along with potential work on the supporting appurtenances as well as Secondary Digester cleaning, inspections and repairs, and WHEREAS, GHD verbally estimates the costs for these repairs to be at least \$1.5 million pending further evaluation and the issuance of a subsequent memo, now, therefore be it

**RESOLVED**, That the Special Joint Committee recommends to its municipal boards that they approve said project not to exceed the sum total of One Million Six Hundred Fifty Thousand Dollars (\$1,650,000) for removal of primary digester contents, repair of the anchoring system, evaluation, cleaning, and inspection of the piping system(s), along with critical work on the supporting appurtenances as well as Secondary Digester cleaning, inspections and repairs, and a ten percent contingency, and be it further

**RESOLVED**, That capital project CP #422J, IAWWTF Various Improvements, be hereby amended by an amount not to exceed \$1,650,000 for a total project authorization of \$13,191,850, for the purpose of funding said Primary and Secondary Digester repairs, and be it further

**RESOLVED**, That funds necessary for said project shall be derived from the following sources as determined by the City Controller; insurance recovery, serial bonds, grants and Federal stimulus funds.

### **3. Action Items**

#### **.8 Common Council - Extension of TCAT Transportation Agreement for One Year**

WHEREAS, on November 7, 1990, the City of Ithaca, Tompkins County, and Cornell University entered into an agreement for the design of a regional transit facility; and

WHEREAS, on October 9, 1991, the City, County and Cornell entered into a 20-year construction and operation agreement for the new transit facility; and

WHEREAS, on April 1, 1998, the City, County and Cornell entered into an agreement to create a TCAT joint venture to provide public transportation services; and

WHEREAS, on January 1, 2005, a Transportation Agreement was signed among the three parties and TCAT to end the TCAT joint venture and have the operations assumed by a single employer, TCAT, Inc., with the agreement running through October 9, 2021; and

WHEREAS, on February 12, 2018, an agreement was signed between the City and County regarding the ownership of the transit facility; and

WHEREAS, the Transportation Agreement is set to expire in October of this year; and

WHEREAS, the City, County and Cornell would like to extend the Transportation Agreement for twelve months, to allow time for negotiation of a successor agreement; now, therefore, be it

**RESOLVED**, That Common Council authorizes the Mayor to sign an extension of the current Transportation Agreement for a period of one year; and be it further

**RESOLVED**, That the Mayor will name members to a negotiating team to meet with the County and Cornell and negotiate a successor transportation agreement, with the new agreement to be brought back to Common Council for approval before the expiration date of the extended Transportation Agreement.

### **3. Action Items**

#### **.9 Increase in Hours for Certain Positions**

WHEREAS, the significant loss of City revenues due to the COVID-19 pandemic necessitated cuts to 2021 department budgets; and

WHEREAS, several departments reduced their budgets by cutting weekly hours worked for some of their employees; and

WHEREAS, the American Rescue Plan, signed into law by President Biden on March 11, 2021, included billions of dollars in emergency funding to state, local and tribal governments to compensate for the revenue losses stemming from COVID-12; and

WHEREAS, these rescue funds will allow the City of Ithaca to make significant adjustments to the 2021 budget; and

WHEREAS, the Finance and Human Resource departments have an immediate need to increase hours for employees whose hours were reduced; now, therefore, be it

**RESOLVED**, That Common Council hereby amends the 2021 Personnel Roster effective May 10, 2021, for the Finance Department and the Human Resources Department as follows:

Increase hours of Deputy Controller by 10 to 30 hours

Increase hours of Manager of Organizational Development by 8 to 40 hours

and, be it further

**RESOLVED**, That Common Council hereby amends the 2021 Authorized Budget as follows:

Increase Revenue Accounts:

A1315-4389	Federal Aid Finance Dept.	19,456
A1430-4389	Federal Aid HR Dept.	<u>14,280</u>
		<b>\$33,736</b>

Increase Appropriation Accounts:

A1315-5105	Admin Salaries Finance Dept.	15,411
A1315-9000	Fringe Benefits Finance Dept.	4,045
A1430-5105	Admin Salaries HR Dept.	11,311
A1430-9000	Fringe Benefits HR Dept.	<u>2,969</u>
		<b>\$33,736</b>

### **3. Action Items**

#### **.10 Resolution Establishing the Community Justice Center in Collaboration Between the City of Ithaca and Tompkins County**

WHEREAS, the New York State Governor issued Executive Order 203, calling upon local governments that operate police agencies to study their current operations and develop a plan to address “the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color”; and

WHEREAS, the City of Ithaca and Tompkins County have, by concurrent resolutions, submitted plans in response to the Executive Order, which contain both separate and joint undertakings for changes in community policing practices; and

WHEREAS, in those resolutions, the City of Ithaca and Tompkins County recognize the need to determine next steps to develop the programmatic expression of the joint elements of their adopted plans, being a long term process to make substantive improvements in our criminal justice system, recognizing that implementation will require time, resources, investigation, and commitment, including the determination of budget priorities, cost share, and the logistics necessary for cooperation and collaboration between the City of Ithaca and Tompkins County on the joint elements of their respective plans; and

WHEREAS, the City of Ithaca and Tompkins County, as a conclusion to the Reimagining Public Safety Collaborative, received a Draft Report entitled “Public Safety Reimagined. Recommendations report following a collaborative effort between the City of Ithaca & Tompkins County, N.Y.,” which has served as an information resource for the respective plans prepared by the City of Ithaca and Tompkins County; and

WHEREAS, the Draft Report proposed the creation of a Community Justice Center as a jointly funded City/County collaborative department to: determine implementation priorities; develop budget impacts for the implementation of plan elements; manage the implementation of the joint plan elements as approved by the City of Ithaca and Tompkins County; receive, manage, and analyze data; provide coordination of the operation of the policing systems in our community; and provide reports to the City and County regarding the progress in implementing these changes; and

WHEREAS, the City of Ithaca and Tompkins County have each determined that the creation and operation of a Community Justice Center is necessary to implement their respective plans; and

WHEREAS, the City and County held discussions to determine the operational description, budget, and cost share for a Community Justice Center, with those details outlined in a joint memo; now, therefore be it

**RESOLVED**, That Common Council approves the creation of the Community Justice Center as a collaborative department between the City of Ithaca and Tompkins County; and be it further

**RESOLVED**, That Common Council commits to funding its share of the Community Justice Center in the amount of \$124,430, with the source of funds to be determined; and be it further

**RESOLVED**, That Common Council will receive regular reports regarding the establishment of the Community Justice Center, and any additional budgetary requirements for implementation of the undertakings identified in the Reimagining Public Safety Plan, and shall consider this information prior to any further expenditure being made.

### **3. Action Items**

#### **.11 A Local Law to Amend Section C-24 of the City of Ithaca Charter Regarding the Examining Board of Electricians**

##### **Local Law # 2021 -**

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

#### **Section 1.**

Section C-24 of the City of Ithaca Charter, entitled Examining Board of Electricians, is hereby amended to read as follows:

#### **§ C-24 Examining Board of Electricians.**

A. Membership. There is hereby established for the City of Ithaca an Examining Board of Electricians. One member of this Board shall be the Electrical Inspector; one shall be the Director of Planning and Development or his/her designee; and the remaining three, who shall be residents of ~~[the City of Ithaca]~~ **Tompkins County**, shall be appointed by the Mayor subject to the approval of the Common Council, namely, two master electricians licensed by the City of Ithaca and one member at large. The first appointments shall be for one, two and three years respectively, and afterwards for terms of three years.

B. Licensing power. Said Board shall be empowered to examine, license and regulate master and special electricians and others engaging or contracting in electrical work for hire in the City of Ithaca.

C. Functions pursuant to Electrical Code. Said Board shall perform its functions pursuant to the Electrical Code of the City of Ithaca as adopted by the Common Council.

#### **Section 2. 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 3. Effective Date.**

This Local Law shall take effect upon the filing of the Local Law in the office of the Secretary of State.