



# COMMON COUNCIL

## COMMITTEE OF THE WHOLE

# AGENDA

Date: 6-6-2022  
Time: 6:00 PM  
Location: YouTube  
[https://www.youtube.com/channel/UC7RtJN1P\\_RFaFW2IVCnTrDg](https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg)

Item	Voting Item	Presenter(s)	Time Allotted
<b>Call to Order</b>	No	Acting Mayor Laura Lewis	
<b>Special Order of Business</b>			
1.1 Continuation of Discussion and Possible Action on a Local Law to Create of a Commissioner of Community Safety Position		Aldersperson Nguyen	2 Hours
<b>Meeting Wrap-Up</b>			
2.1 Adjournment			

Written comments can be submitted to Common Council using this form: [Common Council Public Comment Card](#) Comments should be submitted no later than 5:00 pm on the day of the meeting to give Council members an opportunity to read them prior to the meeting.

Questions about the meeting protocol can be forwarded to City Clerk Julie Conley Holcomb at (607) 274-6570 or [jholcomb@cityofithaca.org](mailto:jholcomb@cityofithaca.org) in advance of the meeting.

**A Local Law Entitled “Amendment of City Charter to Enable the Common Council to Create a Commissioner of Community Safety Position”**

WHEREAS following the murder of George Floyd by Minneapolis police officer Derek Chauvin and citing “a long and painful history in New York State of discrimination and mistreatment of Black and African-American citizens,” then-New York Governor Andrew Cuomo 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, in conjunction with the formation of Working Groups of community members and leaders, the City and County consulted with the Tompkins County Sheriff, the City of Ithaca Police Chief, members of law enforcement, and employed an extensive effort to receive public comment from a broad range of community members by issuing calls for comments, question and answer sessions with community leaders, surveys, interviews, and the use of focus groups to target specific segments of the populations such as the houseless, people of color, and those who have been involved within the criminal justice system, with the goal of obtaining as clear a view as possible of the current state of policing and the community perceptions of policing; and

WHEREAS the Common Council has determined that certain operations of the City’s government could efficiently be consolidated and overseen by a single department head rather than by multiple separate departments; now, therefore

**Local Law No. 2022 -**

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

**Section 1. Legislative findings, intent, and purpose.**

The Common Council makes the following findings:

1. The Common Council of the City of Ithaca determines that it is in the interest of the public welfare to consolidate public safety into a new Department of Community Safety. The new public safety agency will include two units: one of unarmed first responders who will be tasked with responding to certain non-violent call types, and a unit whose members will qualify in all respects under New York State law as police officers and led by someone who shall qualify in all respects under New York State law as a Chief of Police.
2. The title of the leader of the Department of Community Safety shall be “Commissioner of Community Safety”. The Commissioner of Community Safety position shall be filled by a civilian leader, who brings a background in racial justice, social work, public health, public or business administration, and demonstrates in-depth knowledge of the intersections of race, public health, and public safety.
3. The two units of first responders within the Department of Community Safety shall be titled the Division of Police (staffed by police officers) and the Division of Community Solutions (staffed by civilian first responders). The Commissioner of Community Safety shall oversee both divisions.

4. Reporting to the Commissioner of Community Safety, the head of the Division of Police shall be called the Director of Police or the Police Chief. This division will consist of all existing staff of the current Ithaca Police Department (IPD). Reporting to the Commissioner of Community Safety, the head of the Division of Community Solutions shall be called the Director of Community Solutions. This division shall consist of unarmed civilian first responders.

Based upon the above findings, the intent and purpose of this Local Law is to create the position of an appointed Commissioner of Community Safety that will report directly to the mayor or City Manager.

## **Section 2. Charter Amendments**

This Section 2 amends only the following provisions of the City of Ithaca Charter, with the remainder of the provisions unchanged.

- a) *The text of Section C-5 (C) 4(a) of the Ithaca City Charter, titled “Elective and appointive officers” is amended as follows:*

Officers who serve as the heads of their respective departments, and who are appointed by the Mayor/City Manager with the approval of Common Council: City Clerk, Controller, Director of Human Resources, Director of Planning and Development, Fire Chief, Greater Ithaca Activities Center Director, Police Chief, Superintendent of Public Works, Youth Bureau Director, **Commissioner of Community Safety**

- b) *The text of Section C-16 (C) in the Ithaca City Charter, titled “Community Police Board” is amended as follows:*

The Community Police Board shall act as community liaison to the Police Department, actively fostering positive communication between police and all segments of the community. It shall make provisions for resolving complaints by the citizenry related to the delivery of police services. Using established procedures, the Board may recommend action against any member of the Police Department. It shall recommend, on its own initiative or at the request of the Mayor/City Manager, the Common Council, **the Police Chief, or the Commissioner of Community Safety**, on any matter affecting the policy or performance of the Police Department, including finances and budget. It shall perform such other related duties as requested by the Mayor/City Manager or Common Council

- c) *The text of Section C-18 in the Ithaca City Charter, titled “(Reserved)” is amended as follows:*

### § C-18 Commissioner of Public Safety

- A. There shall be a Department of Community Safety, the head of which shall be the Commissioner of Community Safety.
- B. The Commissioner of Community Safety shall:
  - (1) Organize the work of the Department of Community Safety, consisting of the Division of Police and the Division of Community Solutions.

- (2) The Commissioner of Community Safety may assign and transfer administrative functions, powers and duties within the Department of Community Safety as the best interest of the City may appear, subject to the Charter, local law or ordinance.
- (3) To exercise such other responsibilities and perform such other duties as may be prescribed by the Charter, state or local law, or assigned by the City Manager or Common Council.
- d) *The text of Section C-26.1 in the Ithaca City Charter, titled "Appointment of officers." is amended as follows:*

§ C-26.1 Discipline and removal of selected officers

A. Application of this section.

...

- (3) The following City officers are subject to the discipline and removal procedures found in §§ 75 and 76 of New York Civil Service Law, as amended:

...

**(g) Commissioner of Community Safety**

### **Section 3. Amendments to the City Code**

This Section 3 amends only the following provisions of the City of Ithaca Municipal Code, with the remainder of the provisions unchanged.

- a) *The text of City Code Section 6-1 "Enforcement of parking regulations" is amended as follows:*

§ 6-1 Enforcement of parking regulations.

Employees of the Police Department of the City of Ithaca who are not police officers and who are duly designated by the ~~Chief of Police~~ **Commissioner of Community Safety** as parking regulations enforcement officers shall be authorized to issue appearance tickets for violation of any provisions of Article III of Chapter 346 of the Code of the City of Ithaca and for violation of any provisions of Article 32 of the Vehicle and Traffic Law of the State of New York.

- b) *The text of City Code Section 114-8 "Rangers" is amended as follows:*

§ 114-8 Ranger(s).

The position of Natural Area Ranger is hereby established to advise users of regulations governing the natural areas and to demonstrate the City's intention to protect said areas and enforce the regulations. The Ranger(s) shall be provided with adequate equipment to communicate readily with law enforcement agencies. The Ranger(s) shall work under the direction of the ~~Chief of Police~~ **Commissioner of Community Safety** and shall consult regularly with the Public Safety and Information Commission.

- c) *The text of City Code Section 132-4 "Conduct of parades and motorcades" is amended as follows:*

§ 132-4 Conduct of parades and motorcades.

No person shall knowingly join or participate in any parade or motorcade

conducted under permit from the ~~Chief of Police~~ **Commissioner of Community Safety** in violation of any of the terms of said permit nor knowingly join or participate in any permitted parade or motorcade without the consent and over the objection of the permittee nor in any manner interfere with its progress or orderly conduct.

- d) Etc.
- e) Etc.

**Section 4. 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 5. Effective date.**

This Local Law shall take effect on January 1, 2024, and after filing in the office of the Secretary of State. This Local Law is subject to mandatory referendum pursuant to Municipal Home Rule Law Section 23.