



# REVISED COMMON COUNCIL AGENDA ITEMS

Date: 11-09-2022  
Time: 6:00 PM  
Location: Common  
Council Chambers  
City Hall, 108 E.  
Green Street, Ithaca

	Voting Item	Presenter(s)	Time Allotted
<b>CALL TO ORDER</b>	No	Acting Mayor Lewis	10 Mins
1.1 Additions to or Deletions from the Agenda			
1.2 Report of City Attorney Regarding Labor Contract Negotiations	No	City Attorney Levine	10 Mins
2.1 Motion to Enter Executive Session to Discuss Labor Contract Negotiations	No	Acting Mayor Lewis	20 Mins
<b>CITY ADMINISTRATION COMMITTEE</b>			
3.1 Adoption of the 2023 City of Ithaca Budget	Yes	Aldersperson Cantelmo	20 Mins
3.2 Adoption of 2023 City of Ithaca Tax Rate	Yes		
3.3 Adoption of 2023 Ithaca Area Wastewater Treatment Plant Budget	Yes		
3.4 A Local Law Entitled "Sidewalk Improvement District Amendments"	Yes	City Attorney Lavine	10 Mins
3.5 A Local Law Entitled "Confirmation of the Sidewalk Improvement District Assessments, Budget, and Schedule of Work for Fiscal Year 2023"	Yes	Sidewalk Program Manager Licitra	5 Mins
3.6 City Controller's Report	No	City Controller Thayer	10 Mins
<b>MEETING WRAP-UP</b>			
4.1 Adjournment	No	Acting Mayor Lewis	

### **Hybrid Meetings**

Common Council has resumed meeting in person; however, due to limited seating capacity in Common Council Chambers, city staff and members of the public are encouraged join remotely if they would like to.

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

All meetings are live streamed to the City's YouTube Channel:

<https://www.youtube.com/c/CityofIthacaPublicMeetings>

Questions about the meeting can be forwarded to City Clerk Faith Vavra [fvavra@cityofithaca.org](mailto:fvavra@cityofithaca.org) in advance of the meeting

**CITY ADMINISTRATION COMMITTEE:**

**3.1 Adoption of 2023 Budget**

WHEREAS, this Common Council is now considering adoption of the Amended Executive Budget for 2023 at its November 9, 2022, meeting as approved by the Committee of the Whole, and

WHEREAS, it is the consensus of this Common Council that the total appropriations and estimated revenues, as set forth in said Amended Executive Budget for 2023, and as those amounts may be altered by action of this Common Council at its November 9, 2022, meeting, are adequate for the operation of the City during 2023; now, therefore be it

**RESOLVED**, That this Common Council accepts and approves said Amended Executive Budget for 2023, together with any additional changes made in said budget at Council's November 9, 2022, meeting as the City of Ithaca Budget for 2023, in the total amount of \$90,350,883, and be it further

**RESOLVED**, That the following sections of the 2023 Budget be approved:

- A) General Fund Appropriations
- B) Water Fund Appropriations
- C) Sewer Fund Appropriations
- D) Solid Waste Fund Appropriations
- E) Sidewalk Special District Fund Appropriations
- F) Stormwater Drainage Special District Fund Appropriations
- G) General Fund Revenues
- H) Water Fund Revenues
- I) Sewer Fund Revenues
- J) Solid Waste Fund Revenues
- K) Sidewalk Special District Fund Revenue
- L) Stormwater Drainage Special District Fund Revenue
- M) Debt Retirement Schedule
- N) Capital Projects
- O) Schedule of Salaries and Positions - General Fund
- P) Schedule of Salaries and Positions - Water & Sewer Fund
- Q) Schedule of Salaries and Positions - Sidewalk Special District Fund
- R) Schedule of Salaries and Positions - Solid Waste Fund
- S) Schedule of Salaries and Positions – Stormwater Drainage Special District Fund
- T) Authorized Equipment - General Fund
- U) Authorized Equipment - Water Fund
- V) Authorized Equipment - Sewer Fund
- W) Authorized Equipment - Solid Waste Fund
- X) Authorized Equipment - Sidewalk Special District Fund Balance
- Y) Authorized Equipment - Stormwater Drainage Special District Fund

### **3.2 Adoption of 2023 Tax Rate**

WHEREAS, the 2023 City of Ithaca Budget was approved, adopted, and confirmed in the total amount of \$90,350,883 on November 9, 2022, in accordance with a detailed Budget on file in the Office of the City Controller, and

WHEREAS, available and estimated revenues total \$61,120,458 leaving \$29,230,425 as the amount to be raised by taxation, and

WHEREAS, the Assessment Roll for 2023 certified and filed by the Assessment Department of Tompkins County, has been footed and approved and shows the total net taxable valuation as \$2,439,935,327, and

WHEREAS, under Charter provisions, the tax limit for City purposes amounts to \$44,076,279 for 2023; now, therefore, be it

**RESOLVED**, That the tax rate for general purposes, for the fiscal year 2023, be, and the same hereby is, established and fixed at \$11.98 per \$1,000 of taxable valuation as shown, certified and extended against the respective properties on the 2023 Tax Roll, thereby making a total tax levy, as near as may be, of \$29,230,425, and be it further

**RESOLVED**, That the amount of said tax levy be spread, and the same hereby is levied upon and against the respective properties as shown on said City Tax Roll, in accordance with their respective net taxable valuation, at the rate of \$11.98 per \$1,000 of such taxable valuation, and be it further

**RESOLVED**, That the City Chamberlain be, and hereby is, directed to extend and apportion the City Tax as above, and that upon the completion of the extension of said Roll, the City Clerk shall prepare a warrant on the City Chamberlain for the collection of said levy; and the Mayor and the City Clerk hereby are authorized and directed to sign and affix the corporate seal to such warrant and forthwith to file the same with said Tax Roll with the City Chamberlain, and be it further

**RESOLVED**, That upon the execution and filing of said warrant and Tax Roll with the City Chamberlain, the amounts of the City Tax set opposite each and every property shall hereby become liens, due, payable and collectible in accordance with provisions of the City Charter and other laws applicable thereto, and be it further

**RESOLVED**, That the total sum of \$90,350,883 be appropriated in accordance with the adopted Budget to the respective Boards, Offices, and Departments of the City, for the purposes respectively set forth therein. The 2023 Assessment Roll has been completed and approved by the Assessment Department of Tompkins County and resulted in the following valuation:

Total Value of Real Property	\$5,818,078,229
Less: Value of Exempt Property	<u>\$3,421,034,300</u>
	\$2,397,043,929
Plus: Value of Special Franchises	\$42,891,398
Net Value of Taxable Property	\$2,439,935,327

### **3.3 Adoption of 2023 Ithaca Area Wastewater Treatment Plant Budget**

WHEREAS, this Common Council is now considering adoption of the Amended Joint Activity Fund Budget for 2023 as approved by the Committee of the Whole, and

WHEREAS, it is the consensus of this Common Council that the total appropriations and estimated revenues, as set forth in said Amended Joint Activity Fund Budget for 2023 and as those amounts may be altered by action of the Common Council at its November 9, 2022, meeting, are adequate for the operation of the Ithaca Area Wastewater Treatment Plant during 2023; now, therefore, be it

**RESOLVED**, That this Common Council accepts and approves said Amended Joint Activity Fund Budget for 2023, together with any additional changes made in said budget at Council's November 9, 2022, meeting, as the Ithaca Area Wastewater Treatment Plant Joint Activity Fund Budget for 2023, in the total amount of \$5,852,844; and be it further

**RESOLVED**, That the following sections of the 2023 Ithaca Area Wastewater Treatment Plant Joint Activity Fund Budget be approved:

- A) Joint Activity Fund Appropriations
- B) Joint Activity Fund Revenues
- C) Schedule of Salaries and Positions – Joint Activity Fund
- D) Authorized Equipment – Joint Activity Fund

### **3.4 A Local Law Entitled “Sidewalk Improvement District Amendments”**

WHEREAS, Section C-73 of the City Charter creates five Sidewalk Improvement Districts (each a “SID”) for the construction and repair of sidewalk, and provides for an assessment against each property located in each SID for the benefits received by the property from said construction and repair, and

WHEREAS, the Common Council concludes that it is appropriate to increase the assessments for each SID in the City, and

WHEREAS, pursuant to Municipal Home Rule Law Section 10(1)(ii)(c)(3) the City of Ithaca is authorized to adopt a local law relating to the authorization, making, confirmation, and correction of benefit assessments for local improvements, 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.**

Pursuant to Municipal Home Rule Law Section 10(1)(ii)(c)(3) the City of Ithaca is authorized to adopt a local law relating to the authorization, making, confirmation, and correction of benefit assessments for local improvements. The Common Council concludes that certain adjustments to the SID assessment formula are appropriate.

The Common Council makes the following findings of fact:

- A. It has been nearly a decade since the Common Council originally set the fee levels the SID program. Across that time—and despite two intervening technical amendments that did not substantially alter the finances of the program—the annual revenue to the program has held relatively constant, while inflation has increased the program’s costs.
- B. The Common Council now seeks to increase the SID fees in order to increase the amount of annual sidewalk work that can be achieved in each SID.

#### **Section 2. Charter Amendments.**

- A. The Definition of Annual Maintenance Fee in Section C-73(C)(1) of the Ithaca City Charter is hereby amended as follows:

The annual maintenance fee for nondevelopable lots and sliver lots is \$0; for low-foot-traffic lots, it is [~~\$70~~]**\$80**; and for all other lots, it is [~~\$140~~]**\$150**.

- B. Subsections C-73(C)(2)(a) and (b) of the Ithaca City Charter are hereby amended as follows:
  - (a) Square footage fee. The square footage fee for all low-foot-traffic lots and double-low-foot-traffic lots shall be \$0. For all other lots, the lot’s square

footage fee shall be equal to the lot's building square footage times [~~\$0.015~~]  
**\$0.02**.

- (b) Frontage fee. The frontage fee for all low-foot-traffic lots and double-low-foot-traffic lots shall be \$0. For all other lots, the frontage fee shall be [~~\$30~~] **\$50** for each 55 feet of front feet or portion thereof.

### **Section 3. Severability Clause.**

Severability is intended throughout and within the provisions of this Local Law. If any section, subsection, sentence, clause, phrase, or portion of this Local Law is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Local Law or of those portions of Section C-73 not amended by this Local Law.

### **Section 4. Effective and Operative Date.**

This Local Law shall be effective, following the passage of forty-five (45) days after the adoption of this Local Law and after filing in the office of the Secretary of State, January 1, 2023, and retroactive to that date if applicable. This Local Law is subject to referendum on petition pursuant to Municipal Home Rule Law Section 24.

**3.5 A Local Law entitled “Confirmation of the Sidewalk Improvement District Assessments, Budget, and Schedule of Work for Fiscal Year 2023”**

WHEREAS, Section C-73 of the City Charter creates five Sidewalk Improvement Districts (each a “SID”) for the construction and repair of sidewalk, and provides for an assessment against each property located in each SID for the benefits received by the property from said construction and repair, and

WHEREAS, the Board of Public Works has recommended a budget, schedule of work, and schedule of assessments for Fiscal Year 2023, subject to review, amendment, and confirmation by the Common Council, and

WHEREAS, Section C-73 provides that Council shall amend as appropriate and confirm the SID assessments, budget, and schedule of work after a public hearing, and

WHEREAS, the appropriate public hearing has been held, and Council has given due consideration to the comments made, if any, 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.**

Pursuant to Municipal Home Rule Law Section 10(1)(ii)(c)(3) the City of Ithaca is authorized to adopt a local law relating to the authorization, making, confirmation, and correction of benefit assessments for local improvements.

The Common Council has reviewed the assessments, budget, and schedule of work recommended by the Board of Public Works for Fiscal Year 2023, and makes the following findings of fact:

- A. The public hearing prior to confirmation required by Section C-73 has been held, and all owners of property subject to a SID assessment appearing to speak before Council have had an opportunity to do so.
- B. The attached schedule of work, as recommended by BPW and previously subject to review by Council, constitutes a set of local improvements, the cost of which should be assessed against the properties located in the SID in which the work is to be performed.
- C. The attached budget, and the related assessments reflected on the assessment roll kept on file with the City Clerk, are necessary to defray the cost of construction and maintenance of sidewalk in the City, and Council has made a legislative judgment that each property in each SID is being assessed in proportion to the benefit received by that property from the sidewalk construction and repair contained in the schedule of work.



## **Section 2. Confirmation of the Assessments, Schedule of Work, and Budget.**

The Common Council approves and confirms version "B" of the assessment roll, a copy of which is maintained in the City Clerk's office, and version "B" of the budget and schedule of work attached hereto and imposes a lien upon each property so assessed as set forth in the assessment roll.

In the event there are additional funds available following completion of the schedule of work, or changes to the work plan are required for financial, engineering, or other reasons, the Superintendent of Public Works or his or her designee may alter the schedule of work in his or her discretion, as instructed by the Board of Public Works from time to time; provided, however, that if such actions affect ten percent or more of any Sidewalk Improvement District's annual levy, such actions must be approved by resolution of the Board of Public Works.

## **Section 3. Severability Clause.**

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

## **Section 4. Effective and Operative Date.**

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