



# CITY ADMINISTRATION COMMITTEE

Date: May 15, 2019  
Time: 6:00 PM  
Location: Common Council Chambers,  
3<sup>rd</sup> Floor, City Hall

## AGENDA ITEMS

Item	Voting Item?	Presenter(s)	Time Allotted
1. Call to Order	No	Chair, Deb Mohlenhoff	
1.1 Agenda Review	No	*Note: We will review the number of cards received at the beginning of each meeting and adjust time if needed.	15 Mins*
1.2 Review and Approval of Minutes Approval of April 2019 Minutes	Yes		
1.3 Statements from the Public			
1.4 Council's Response			
2. Consent			
2.1 HR – Request to Amend Budget for Safety Grant	Yes		5 Min
2.2 DPW – Amendment to Personnel Roster			
3. City Administration, Human Resources and Policy			
3.1 Ithaca Green New Deal	Yes	Mayor Myrick	15 Min
3.2 Modification of Odd/Even Regulation	Yes	Dan Cogan, Chief of Staff	15 Min
4. Finance, Budget and Appropriations			
4.1 Controller's Office – Bond Authorization	Yes	Steve Thayer, City Controller	10 Min
5. Discussion			
5.1 Flag Flying Policy	No	Community Life Commission	10 Min
5.2 Commission Project Form – ADA Coordinator	Yes		10 Min
5.3 Commission Project Form – Nighttime Safety Working Group – Sent under separate cover	Yes		10 Min
6. Budget			
6.1 Dates and Special Topics	No	All	15 Min
7. Meeting Wrap-Up	No	All	5 Mins
7.1 Announcements			
7.2 Next Meeting Date: June 19, 2019			
7.3 Review Agenda Items for Next Meeting			
7.4 Adjourn			

If you have a disability that will require special arrangements to be made for you to fully participate in the meeting, please contact the City Clerk at 274-6570 at least 48 hours before the meeting.

Out of consideration for the health of other individuals, please refrain from using perfume/cologne and other scented personal care products at City of Ithaca meetings. Thank you for your cooperation and understanding.

This meeting can viewed via livestream on <https://ithacany.viebit.com/>

**.2 Consent**

**.1 Human Resources – Request to Amend Authorized Budget for a Safety Grant**

WHEREAS, the City applied for and received an Occupational Safety and Health Training Education Program Grant from the New York State Department of Labor in the amount of \$12,435, and

WHEREAS, the grant will run until July 31, 2019, and provide City staff with various safety training, including, but not limited to confined space, trenching, excavation, lockout/tagout, hazard communications and work zone safety; now, therefore be it

**RESOLVED**, That Common Council hereby amends the 2019 Authorized Human Resources Budget to account for the \$12,435 Safety and Health Training and Education Program Grant from New York State as follows:

Increase Revenue Account:	
A1430-3489 NYS Aid Health	\$ 12,435
Increase Appropriations Account:	
A1430-5435 Human Resources Contracts	\$ 12,435

**.2 Consent**

**.2 DPW – Parking Division - Amendment to Personnel Roster**

WHEREAS, the Director of Parking is continuing to assess and realign staffing to most effectively address operational needs, and

WHEREAS, the Director of Parking is recommending the elimination of a maintenance position and the addition of a parking lot attendant position, and

WHEREAS, a current employee is interested in changing from a maintenance position to a parking lot attendant position; now, therefore, be it

**RESOLVED**, That the Personnel Roster of the Parking Division of the Department of Public Works be amended as follows:

Unfund:	One (1) Building and Grounds Maintenance Worker
Fund and increase to full-time:	One (1) Parking Lot Attendant

and be it further

**RESOLVED**, That the above changes shall be funded within the existing budget.

### **3. City Administration, Human Resources and Policy**

#### **.1 Adoption of the Ithaca Green New Deal**

WHEREAS, the City of Ithaca Common Council has demonstrated its desire and commitment to be a leader in sustainability and social equity by passing resolutions to:

- Join the International Council for Local Environmental Initiatives (2001)
- Endorse the US Mayors' Climate Protection Agreement (2005)
- Adopt the Climate Smart Communities Pledge (2009)
- Adopt the City of Ithaca Energy Action Plan 2012-2016 (2013)
- Adopt Plan Ithaca, the City's Comprehensive Plan (2015), which features equity and sustainability as thread-through themes and contains the chapter Sustainable Energy, Water, & Food Systems, and

WHEREAS, the October 2018 report entitled "Special Report on Global Warming of 1.5 C" by the Intergovernmental Panel on Climate Change and the November 2018 Fourth National Climate Assessment report found that human-caused climate change is causing an increase in extreme weather events that threaten human life, healthy communities, and critical infrastructure, and

WHEREAS, there is a clear emerging international consensus that to avoid the most severe impacts of a changing climate, we should work together to limit global warming to 1.5 degrees Celsius, which is even more ambitious than the previous target of 2 degrees, and

WHEREAS, to accomplish this, scientists say that the entire world needs to get to net-zero emissions by 2050, meaning the same amount of greenhouse gases would have to be absorbed as released into the atmosphere, and

WHEREAS, the United States should take a leading role in achieving that, but with active resistance at the federal level, it has fallen to the states, to local governments and to individual citizens to lead the way, and

WHEREAS, versions of a Green New Deal, which have been proposed at both the Federal and the State level, aim to address climate change and other societal problems like economic inequality and racial injustice, and

WHEREAS, local sustainability professionals, activists, and a growing youth climate movement have urged the City of Ithaca to show more leadership on these challenges, and

WHEREAS, the City has already taken several steps to reduce greenhouse gas emissions, including the following:

- Performed energy efficiency upgrades and installed rooftop solar energy systems at several locations. The Ithaca Area Waste Water Treatment Facility, recognized by the U.S. DOE for its efforts, has improved the efficiency of its operations dramatically and produces up to three quarters of its energy needs on-site through the production and use of biogas;
- The City is actively working to upgrade its entire inventory of streetlights to LED technology, cutting greenhouse gas emissions 50-60% and slashing lighting costs even more dramatically;

- The City worked for years to develop a large scale solar array located at the Ithaca Tompkins airport, which would have generated enough clean electricity to power about one third of City government operations, with significant cost savings. Due to circumstances beyond the City’s control, the project ultimately fell through;
- Since 2014, the City has shared a Sustainability Coordinator with the Town of Ithaca; The position is dedicated to reducing greenhouse gas emissions in government operations and the Ithaca community;
- In 2018 the City adopted the Ithaca Green Building Policy report, with the intention of enacting legislation in 2019, which is currently under development;
- The City installed five electric vehicle charging stations in three public parking garages and is an active partner in the EV Tompkins program, which aims to double the number of local EV drivers. The City is working on incorporating the first EV into its fleet;
- In collaboration with four other municipalities, the City developed a residential energy score program that would tap market forces to improve the energy efficiency of existing homes. New York State is now rolling out regional home energy score pilot programs in several locations across the state, including Ithaca, thanks in part to these efforts;
- The City enabled the innovative Property Assessed Clean Energy (PACE) financing program to offer long-term low-cost financing for energy efficiency and renewable energy projects in commercially-owned buildings. The City of Ithaca and Tompkins County were the first two upstate NY communities to offer this program, and

WHEREAS, by adopting a Green New Deal for Ithaca, the City has the opportunity to build on existing momentum and be the most climate forward city in New York State, and

WHEREAS, there would be multiple benefits besides greenhouse gas reduction, including local job creation and improved community health, and

WHEREAS, the City of Ithaca acknowledges that to implement a Green New Deal will require support from New York State and the Federal government, and

WHEREAS, to be successfully implemented, the Ithaca Green New Deal must have the support of the City of Ithaca at all levels of government, and

WHEREAS, this support can be demonstrated at first by the City of Ithaca Common Council through the adoption of this resolution, and

WHEREAS, in accordance with the City of Ithaca Code §176-5C (26) “adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list”, this action does not require a City Environmental Quality Review (CEQR); now, therefore, be it

**RESOLVED**, That the City of Ithaca adopts a goal to meet 100% of its electricity needs for City government operations with renewable electricity by 2025, without the use of renewable energy credits (RECs), and, be it further

**RESOLVED**, That the City of Ithaca hereby adopts a goal of achieving a carbon neutral city by 2030 - that is, reducing community-wide greenhouse gas emissions by 100% by 2030, and, be it further

**RESOLVED**, That the City of Ithaca endorses the following actions to achieve these goals:

- Create a climate action plan (CAP) in 2020 to provide details on how to achieve the Ithaca Green New Deal, and update the CAP every five years;
- Adopt a Green Building Policy for new buildings in 2019;
- Adopt a Green Building Policy for existing buildings by 2021; and
- Assign additional staff as needed to implement the plan, and, be it further

**RESOLVED**, That the Mayor will work with department heads and city staff, members of appropriate boards and commissions, businesses, community groups, academic institutions, organizations, and other local governments to achieve these goals; and, be it further

**RESOLVED**, That the City Clerk send copies of this resolution to United States Senators Chuck Schumer and Kirsten Gillibrand; United States Representatives Tom Reed and Alexandria Ocasio-Cortez; Governor Andrew Cuomo; Assemblywoman Barbara Lifton; State Senator Tom O'Mara, and all the other members of the Honorable New York State Congressional delegation.

### **3. City Administration, Human Resources and Policy**

#### **.2 Modification of Odd/Even Parking to extend hours when in effect and to change where parking is permitted on the 31st of the month**

##### **Redlined Version**

§ 346-26 Overnight parking.

Effective November 1 through April 1 of each year, no vehicle shall be parked between 9 p.m. and 6 a.m. on the odd-numbered side of a City street on even-numbered calendar days, nor on the even-numbered side of a City street on odd-numbered calendar days, no person shall park a vehicle between 2:00 a.m. and 6:00 a.m. on the odd-numbered side of all City streets on the odd-numbered days of the calendar month, and on the even-numbered side of all City streets on the even-numbered days of the calendar month, except for streets or parts thereof described in Schedules XIX, XX, and XXI of the traffic regulations of the Board of Public Works, attached to and made a part of this chapter. For the purpose of this section, a night shall be deemed even-numbered if that portion thereof prior to midnight was part of an even-numbered day and odd-numbered if that portion thereof prior to midnight was part of an odd-numbered day. This section shall not apply to the streets repealed under §§ [346-27](#) and [346-28](#) below.

##### **Clean Version**

§ 346-26 Overnight parking.

Effective November 1 through April 1 of each year, no vehicle shall be parked between 9 p.m. and 6 a.m. on the odd-numbered side of a City street on even-numbered calendar days, nor on the even-numbered side of a City street on odd-numbered calendar days, except for streets or parts thereof described in Schedules XIX, XX, and XXI of the traffic regulations of the Board of Public Works, attached to and made a part of this chapter. For the purpose of this section, a night shall be deemed even-numbered if that portion thereof prior to midnight was part of an even-numbered day and odd-numbered if that portion thereof prior to midnight was part of an odd-numbered day. This section shall not apply to the streets repealed under §§ [346-27](#) and [346-28](#) below.

##### **Plain English Version**

From 9 p.m. on an odd-numbered day to 6 a.m. on an even-numbered day, cars must park on the odd side of the street.

From 9 p.m. on an even-numbered day to 6 a.m. on an odd-numbered day, cars must park on the even side of the street.

On the nights of Oct 31, Dec 31, Jan 31, Mar 31 and Feb 29, when the next day is also an odd day, park on the odd side of the street.

**BOND RESOLUTION**

(Various Capital Projects)

At a regular meeting of the Common Council of the City of Ithaca, Tompkins County, New York, held at the Common Council Chambers, City Hall, in Ithaca, New York, in said City, on the 5<sup>th</sup> day of June, 2019, at \_\_\_\_\_ o'clock P.M., Prevailing Time.

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

PRESENT:

ABSENT:

The following resolution was offered by Councilman \_\_\_\_\_, who moved its adoption, seconded by Councilman \_\_\_\_\_, to-wit:

BOND RESOLUTION DATED JUNE 5, 2019.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,669,000 BONDS OF THE CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK, TO PAY THE COST OF CERTAIN CAPITAL IMPROVEMENTS IN AND FOR SAID CITY.

WHEREAS, all conditions precedent to the financing of the capital projects hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital projects; NOW, THEREFORE,

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

Section 1. For the object or purpose of paying the cost of certain capital improvements in and for the City of Ithaca, Tompkins County, New York, there are hereby authorized to be issued \$2,669,000 bonds of said City pursuant to the provisions of the Local Finance Law, apportioned among such capital improvements in accordance with the maximum estimated cost of each. The capital improvements to be financed pursuant to this bond resolution, the maximum estimated cost of each, the amount of bonds to be authorized therefor, the period of probable usefulness of each, and whether said capital improvements are each a specific object or purpose or a class of objects or purposes, including in each case incidental improvements, equipment, machinery, apparatus, appurtenances, furnishings and expenses in connection therewith, are as follows:

- a) Replacement of the Cecil A. Malone Drive Bridge, at a maximum estimated cost of \$2,172,000. It is hereby determined that the plan for the financing of such specific object or purpose shall consist of the issuance of \$2,172,000 bonds of the \$2,669,000 bonds of said City authorized to be issued pursuant to this bond resolution; provided, however, that to the extent that any Federal or State grants-in-aid are received for such specific object or purpose, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 20 years, pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law;
- b) Construction of sidewalks along Elmwood Avenue and Valley Road, at a maximum estimated cost of \$195,000. It is hereby determined that the plan for the financing of such specific object or purpose shall consist of the issuance of \$195,000 of the \$2,669,000 bonds of said City authorized to be issued pursuant to this bond resolution. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 10 years, pursuant to subdivision 24 of paragraph a of Section 11.00 of the Local Finance Law;
- c) Computer equipment and software upgrades for the Storage Area Network, at a maximum estimated cost of \$102,000. It is hereby determined that the plan for the financing of such class of objects or purposes shall consist of the issuance of \$102,000 bonds of the \$2,669,000 bonds of said City authorized to be issued pursuant to this bond resolution. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is 5 years, pursuant to subdivision 89, based upon subdivisions 32 and 108 of paragraph a of Section 11.00 of the Local Finance Law; and

d) New improvements to the Dryden Road Parking Garage, at a maximum estimated cost of \$200,000. It is hereby determined that the plan for the financing of such specific object or purpose shall consist of the issuance of \$200,000 bonds of the \$2,669,000 bonds of said City authorized to be issued pursuant to this bond resolution. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 25 years, pursuant to subdivision 12(a) of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The aggregate maximum estimated cost of the aforesaid objects or purposes is \$2,669,000, and the plan for the financing thereof is by the issuance of the \$2,669,000 serial bonds authorized by Section 1 hereof, allocated to each of the objects or purposes in accordance with the maximum estimated cost of each stated in Section 1 hereof; provided, however, that the amount of serial bonds will be reduced by any Federal or State grants-in-aid received therefor, as specifically provided herein.

Section 3. The faith and credit of said City of Ithaca, Tompkins County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City

Controller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Controller, consistent with the provisions of the Local Finance Law.

Section 5. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Controller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Controller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Controller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Controller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and,

accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Controller shall determine.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

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

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

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the *Ithaca Journal*, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_

The resolution was thereupon declared duly adopted.

\* \* \* \* \*



## LEGAL NOTICE OF ESTOPPEL

The bond resolution, summary of which is published herewith, has been adopted on June 5, 2019, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Ithaca, Tompkins County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

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

Dated: Ithaca, New York,  
June \_\_\_\_\_, 2019.

---

City Clerk

BOND RESOLUTION DATED JUNE 5, 2019.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,669,000 BONDS OF THE CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK, TO PAY THE COST OF CERTAIN CAPITAL IMPROVEMENTS IN AND FOR SAID CITY.

**Specific objects or purposes or classes of objects or purposes and periods of probable usefulness (“ppu”):**

- a) Cecil A. Malone Drive Bridge replacement – specific - 20 yr. ppu - \$2,172,000 bonds
- b) Sidewalks along Elmwood Avenue and Valley Road – specific – 10 yr. ppu - \$195,000 bonds
- c) Computer equipment and software upgrades for Storage Area Network – class – 5 yr. ppu - \$102,000
- d) Dryden Road parking garage improvements – specific – 25 yr. ppu - \$200,000 bonds

**Maximum estimated cost:** \$2,669,000 bonds

**Aggregate amount of obligations to be issued:** \$2,669,000 bonds, allocated as indicated above.

**SEQRA status:** Type II Actions

# Community Life Commission Flag Flying Policy Report

May 7, 2019

## Introduction:

The Community Life Commission (CLC) was tasked by the City Administration Committee of Common Council to research and provide recommendations on flag flying policies for places where the American flag is flown in the City of Ithaca. Policy recommendations were sought for two specific areas: guidelines on flying “advocacy” or commemorative flags (often at the request of community groups) and on protocol and procedures for flying flags at half-staff.

Commissioners Melissa Hall and Sean Hillson agreed to research these topics. They reviewed flag flying policies in other cities and towns, including nearby Lansing, NY. Steve Nann, Dan Cogan, and Julie Holcomb were consulted for background and existing procedures. Commissioner Hall also communicated with County Legislator Henry Granison who was working on flag flying policy for the County Legislature.

As a result, the Community Life Commission voted to forward the following recommendations to the City Administration Committee.

## Advocacy Flags:

To provide a fair and equal opportunity for all members of the community to freely express themselves on issues of personal significance through the use advocacy flags, as long as this flag does not represent a discriminatory ideology, or promote commercial interests, political organizations, or religious movements, the Community Life Commission recommends:

- “Limited” flag flying policy. This option means that Ithaca City Council will decide on a list of pre-approved flags, after which community members can request a flag be flown by filling out an application (to be developed, made available on city website) and submitting it to City Clerk at least one month before the dates for which the flag will be flown.
  - o Flags originally recommended for pre-approved list include Pride Flag for month of June, POW-MIA flag, Pan-African flag. Council should determine if there are other flags they would like to pre-approve.
- Community members/groups can meet with Council representatives to advocate for a flag to be added to the list.
- Council may also elect for certain flags to be flown at their own discretion, without advocacy from a particular community group.
- Flag can be flown for minimum of 1 week, maximum of 1 calendar month; the same flag can only be flown once per year.
- Flag(s) must be provided by the advocating group.

- Multiple flags can be provided and flown at any of the following locations, as chosen by the requesting group:
  - City Hall
  - Cass Park
  - Stewart Park (Flag not flown in the winter)
- After flag has been removed, the advocate who provided the flag must collect it from City Hall in a timely manner (e.g., one month). Cass and Stewart Park staff would have to send the flags to City Hall for collection.

Notes:

1. *The appropriate size of flag for each flagpole will be determined and included on the application. Standard flag size is 3 feet by 5 feet. No flag shall be larger than American flag, and all other flags must be flown under the American flag.*
2. *The Dewitt Park flagpole will be reserved year-round for the POW/MIA flag, as the park displays war memorials. At all other city-administered flagpoles, the POW/MIA flag will be considered an advocacy flag.*
3. *There are five other flagpoles that fall under the City's jurisdiction: GIAC, Fire Dept., Police Dept., Youth Bureau, and Sewer & Water. <sup>i</sup> These locations are not available for the public to request a flag be flown to avoid conflicts of interest with the organization at that location.*

Full and Half-staff Flags:

To help the City of Ithaca be prepared to act appropriately to state and federal calls for flying of flags at half-staff, to ensure appropriate protocol is followed, and to offer parameters for when special circumstances arise, the CLC recommends:

- Full-Staff: American flags to be flown at approved locations during normal working hours of the day throughout the year. Flags must be illuminated to fly 24 hours a day. This policy is consistent with the stated County policy for its recognized facilities.
- Half-Staff
  - National holidays/days of remembrance, in accordance with Federal and New York State policy:
    - Memorial Day, Patriot Day, Pearl Harbor Remembrance Day, Peace Officers Memorial Day (in designated locations only, such as IPD), and National Firefighters Memorial Day (IFD)
  - As a mark of respect for a person who has died, in accordance with Federal policy, and as requested by the President of the United States, such as:
    - Former President (for one month)
    - Former Vice President (10 days from the date of death)
    - Chief Justice or Retired Chief Justice (10 days from the date of death)

- Final determination of what other instances to lower flag to half-staff when someone has died to be made by Council.<sup>ii</sup>
- At the discretion of the Mayor and/or the Chief of Staff, for a specified period of mourning for:
  - A first responder who has died in the line of duty
  - City elected official or staff member
  - Other retired and/or revered employees and citizens
  - Residents who have served in the armed forces
  - Other

General Information:

- City staff at appropriate locations will be responsible for raising of advocacy flags and lowering of U.S. flags to half staff.
  - Most recent list of appropriate staff at each location (will need to be updated regularly):
    - Cass Park - Jim Dalterio
    - City Hall - Bryan Parker
    - Dewitt Park - Bryan Parker
    - GIAC - Kerry Phillips, Mike Thomas
    - IPD - Adrian Cain
    - IFD - June Overslaugh
    - IYB Jim Dalterio
    - Stewart Park - Rob Lilly
    - Water & Sewer - Tina Cicci Erik Whitney
    - Water Treatment Plant - Chuck Baker
- We are also forwarding the existing draft policy document from Tompkins County Legislature as background information.

---

<sup>i</sup> Locations for flags in the City of Ithaca include: City Hall, Dewitt Park, Cass Park, Stewart Park, GIAC, Fire Department, Police Department, Ithaca Youth Bureau, and Sewer & Water.

<sup>ii</sup> Federal flag policy located here: <http://www.usflag.org/uscode36.html>

## Flying of Flags at County Buildings

<b>Objective:</b>	To create a policy for flying flags at County facilities to ensure fair, consistent, and respectful application.	<b>Policy/Procedure Number:</b>	01-46
<b>Reference:</b> <i>(All applicable federal, state, and local laws)</i>	U.S. Code, Title 4, Chapter 1; NYS Executive Law Article 19, Section 403; Congress of the United States, Federal Flag Code, Public Law 94-344; Public Law 107-51	<b>Effective Date:</b>	April 2019
<b>Legislative Policy Statement:</b>	It is the policy of Tompkins County to control the flying of flags at County facilities, including the lowering of flags to half-staff as a sign of mourning.	<b>Responsible Department:</b>	County Administration
<b>General Information:</b>	The official flag of the United States of America can be commonly referred to as the American Flag and is a symbol of freedom around the world. All American flags share the following features: There are thirteen equal horizontal stripes of alternating red and white. There is a blue rectangle in the upper left-hand corner touting fifty small white stars. These stars are five-pointed stars arranged in nine offset horizontal rows of alternating six and six stars in the alternate rows. The fifty stars on the flag represent the fifty American states with the thirteen stripes representing the original thirteen colonies.	<b>Modified Date (s):</b>	
		<b>Resolution No.:</b>	175
		<b>Next Scheduled Review:</b>	April 2024

**I. Definitions:**

**Flag** – Usually a rectangular piece of fabric of distinctive design that is used as a symbol (as of a nation) or as a signaling device

**Full-Staff** - The position of a flag which is being flown at the top of its staff.

**Half-Staff** - The position of a flag which is being flown some way below the top of its staff as a mark of respect for a person who has died.

**The Union** – The top, left blue area with the white stars, may also be referred to as the Canton or the Field

**II. Policy:**

A. It is the policy of Tompkins County that the flags of the United States shall be flown at full-staff, during all normal working hours, at all county buildings throughout the County.

B. U.S. flags shall be flown every day of the year, if weather permits. Weather conditions preventing the display of flags on any day include rain, sleet, or high wind. If weather is inclement at the time of flag-raising, flags should not be flown until conditions improve, except when an all weather flag is displayed.

C. No flag shall be flown at half-staff, or at any position other than full-staff, without the prior approval of the County Administrator or Chair of the Legislature, or in the event of absence or inability to serve by the Vice-Chair, except when otherwise directed by the Governor of New York State or the President of the United States.

D. Display the flag in public only from sunrise to sunset. Flags must be illuminated to fly 24 hours a day.

E. Additional flags (i.e. NYS flag, POW/MIA flag) may be flown with the

American flag if its display follows the rules specified by the Federal Flag Code and prior approval was obtained from the County Administrator or Chair of the Legislature, or in the event of absence or inability to serve by the Vice-Chair, except when otherwise directed by the Governor of New York State or the President of the United States.

F. Only Flags recognized by the United States through an Act of Congress, Presidential Proclamation, or Executive Order, or Flags nationally or internationally recognized in relation to a national month of observance by the United States through an Act of Congress, Presidential Proclamation, or Executive Order shall be considered for a Community Flag Request.

### **III. Procedure:**

#### **A. Flying of Flags at Full-Staff**

1. Flags should be hoisted briskly and lowered ceremoniously.
2. The American Flag should be hoisted first and lowered last when flown with other flags on adjacent staffs.
3. No other flag or pennant should be placed above, or if on the same level, to the right of the American flag.
4. The American flag shall not be smaller in size than 3'x5' (standard flag size)
5. When displayed with other flags, the size of the American Flag should be larger than the other flags or relatively equal to the size of the largest flag. Other flags should not overshadow the American Flag in any way.
6. The American flag should be at the center and at the highest point of the group when a number of flags of states, and locations are grouped and displayed from staffs.
7. When flags of states, cities, or localities are flown on the same halyard with the American flag, the American flag should always be at the peak.

#### **B. Flying of Flags at Half-Staff**

1. The U.S. flag should be displayed at half-staff as a sign of respect on the days noted below, or on other days by special proclamation of the United States President or New York State Governor. When the American flag is flown at half-staff, all other flags should be flown at half-staff as well.
  - Peace Officers Memorial Day (May 15) (Federal Mandate)
  - Memorial Day (last Monday in May) (Federal Mandate)  
(Half-staff until noon only, then raised to the top of the staff)
  - Patriot Day (September 11) (NYS Mandate)
  - National Firefighters Memorial Day (October) (Federal Mandate)
  - Pearl Harbor Remembrance Day (December 7) (NYS Mandate)

**Note:** Whenever one of the days listed above falls on a weekend, the flag should be flown at half-staff on the last preceding workday in lieu of the weekend.

2. In addition, federal law specifies the following mandatory periods of mourning for which flags must be flown at half-staff:
  - Thirty (30) days from the date of death of the President or former President of the United States

- Ten (10) days from the date of death of the Vice President of the United States; the Chief Justice, or a retired Chief Justice of the United States; or the Speaker of the House of Representatives
- From the date of death until interment of a former Vice President; Associate Justice of the Supreme Court; Secretary of an executive or military department; or a Governor of a state, territory, or possession
- The day of death and the following day for a member of Congress
- In the event of death of other officials, former officials or other dignitaries, the flag of the United States, as well as the New York State flag, shall be displayed at half-staff in accordance with such orders or instructions as may be issued by or at the direction of the President of the United States in accordance with recognized customs not inconsistent with the law
- In addition, New York State law provides that flags may be flown at half-staff during special periods of mourning designated by the President of the United States or New York State Governor, and to commemorate the death of a personage of national or state standing, or of a local serviceman, official or public servant who, in opinion of the local agency concerned, contributed to the community
- The Chair of the County Legislature may specify a one (1) day period of mourning for which flags may be flown at half-staff:
- In the event of a death of a County resident, past or present, who has at any time rendered significant public service as a local serviceman, official, or public servant who, in the opinion of the County, contributed to the community
- When flown at half-staff, the flag should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day.
- When a flag is lowered, no part of it should touch the ground or any other object.
- The Facilities department is responsible for the raising or lowering of flags, as determined by the County Administrator, Chair of the County Legislature, or his/her designate.

### **C. Additional Manners of Display (See Appendix A)**

- When the flag of the United States is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half-staff.
- When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, union first, from the building.

- When the flag is displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street or to the east in a north and south street.
  - When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.
1. When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a public auditorium, the flag should hold the position of superior prominence, in advance of the audience, and in the position of honor at the speaker's right as (s)he faces the audience. Any other flag so displayed should be placed on the left of the speaker or to the right of the audience.
  2. When the flag is suspended across a corridor or lobby in a building with only one main entrance, it should be suspended vertically with the union of the flag to the observer's left upon entering. If the building has more than one main entrance, the flag should be suspended vertically near the center of the corridor or lobby with the union to the north, when entrances are to the east and west or to the east when entrances are to the north and south. If there are entrances in more than two directions, the union should be to the east.

#### **D. Community Flag Raising Requests**

Tompkins County recognizes that flags, as symbols of nations, territories, and communities, are important to County residents. Tompkins County is committed to building upon, while maintaining, the rich heritage of protocol associated with the flying of flags. As a matter of practice, the County uses special flag raisings to enhance public awareness of activities such as national independence days, multicultural events, County diversity, and historical commemorations important to the County residents.

##### *1. Requesting a Flag*

- a. A Tompkins County resident and/or community group may request a flag to be flown by submitting the request in writing to the Chair of the County Legislature. The request shall be referred to and reviewed by the Government Operations (GO) Committee, which will be responsible for making a recommendation to the full County Legislature. The written request must include:
  - Purpose of the flag raising
  - Name of the flag to be raised
  - Photo of flag to be raised
- b. To the extent possible, requests are to be submitted at least one (1) month prior to the day requested for the raising of the flag.
- c. Community requested flags will be pursuant to County Legislature specifications noted below and flags to be purchased and provided by the requestor.

#### Flag Specifications:

- Community requested flags shall not be larger in size than 3'x5' (standard flag size)
  - If a community requested flag is flown below the American flag, the community flag shall not be larger in size than the American flag.
  - If one (1) or more community requested flags are flown together, they flags should be approximately the same size
- d. In the event more than one (1) flag-raising occurs on the same day (or same period of time), the position of honor will be assigned to the request received first. (National and State flags will be given higher precedent over non-national and non-state flags if flown on same pole)
- e. In the event there is a dispute between two or more requestors whom wish not to fly their flags together, the dispute shall be settled in favor of the organization which first made its request
- f. Approval or denial of a flag requests will be the duty of the County Legislature. The County Legislature reserves the right to remove, refuse, or deny a request as deemed necessary or appropriate.
- If a request is approved, the Clerk of the Legislature will prepare a standard letter of approval.
  - If a request is denied, the Clerk of the County Legislature will prepare a letter of denial, including the reason why.

#### 2. *General Guidelines for Community Flag Requests*

- a. Three (3) flagpoles are designated for the flying of requested flags: those at the Public Safety Building, the Human Service Building, and the Daniel D. Tompkins Building.
- b. A flag shall be flown for a period of up to one week, or for the duration of the associated event, whichever is more.
- c. A requested flag shall be flown no more than once per calendar year (January-December)
- d. No community requested flags may be flown at such times of a half-staffing is in order or on significant dates as deemed appropriate (such as, but not limited to Memorial Day, Flag Day, Independence Day)
- e. Flags shall only be raised and lowered on County business days
- f. Display of a flag must be in accordance with Federal Flag Code rules
- g. On occasion, the County may receive a request for the flag of another nation to be flown. It is recommended that only during the visit of international dignitaries that flags of other nations be flown. This may avoid the County becoming unknowingly involved in any political issues

### 3. *Flag Raising Criteria*

#### a. Flags may be flown:

- to celebrate art, heritage, or culture;
- to celebrate diversity and inclusion.

#### b. The Flags initially approved under this Flag Policy include the following:

1. The U.S. flag.
2. The New York State flag.
3. The Tompkins County Flag
4. The official flags of the President and Vice President of the U.S.
5. The official flags of all branches of the U.S. military and armed forces.
6. The Pride (Rainbow) flag.
7. The POW-MIA flag.
8. The Black History Month Flag
9. The Haudenosaunee (Six Nations) Flag

#### c. Days of Observance Recognized by Proclamation:

- January: National Mentoring Month
- January: Stalking Awareness Month
- January: Slavery and Human Trafficking Prevention Month
- February: American Heart Month
- February: Black History Month
- March: American Red Cross Month
- March: Women's History Month
- March: Irish-American Heritage Month
- April: Cancer Control Month
- April: National Donate Life Month
- April: National Child Abuse Prevention Month
- April: National Sexual Assault Awareness Month
- April: National Financial Literacy Month
- May: Older Americans Month
- May: Jewish American Heritage Month
- May: Asian Pacific American Heritage Month
- May: Mental Health Awareness Month
- May: National Physical Fitness and Sports Month
- May: National Foster Care Month
- June: Gay and Lesbian Pride Month
- June: Caribbean-American Heritage Month

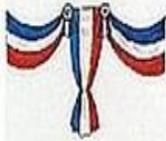
- June: Great Outdoors Month
- June: National Oceans Month
- June: African-American Music Appreciation Month
- July: National Ice Cream Month
- September: Childhood Cancer Awareness
- September: National Sickle Cell Awareness Month
- September: National Alcohol and Drug Addiction Recovery Month
- September: National Ovarian and Prostate Cancer Awareness Month
- September: National Wilderness Month
- September: National Preparedness Month
- September: National Childhood Obesity Awareness Month
- September: Prostate Cancer Awareness Month
- September 15 – October 15: National Hispanic Heritage Month
- October: National Information Literacy Awareness Month
- October: Italian-American Heritage and Culture Month
- October: Country Music Month
- October: National Breast Cancer Awareness Month
- October: National Domestic Violence Awareness Month
- October: National Arts & Humanities Month
- October: National Disability Employment Awareness Month
- October: National Cyber Security Awareness Month
- October: National Energy Awareness Month
- November: National Entrepreneurship Month
- November: Military Family Month
- November: National Bone Marrow Donor Awareness Month
- November: National Hospice Month
- November: National Adoption Month
- November: National Family Caregivers Month
- November: National Alzheimer's Disease Awareness Month
- November: National Diabetes Month
- November: National American Indian Heritage Month
- December: National Impaired Driving Prevention Month
- December: National Critical Infrastructure Protection Month

d. Flags may **not** be flown:

- to promote business or commercial enterprises;
- to promote political parties or religious groups;
- to support groups or organizations that are political or religious in nature;
- in support of groups, organizations, or events that promote beliefs that are contrary to any other County policy or espouse any form of discrimination, violence, or racism;
- in support of community groups or organizations with no direct connection to Tompkins County.

## Appendix A

### Bunting



The U.S. flag should never be used as drapery, never festooned, drawn back, nor up, in folds. It should always be allowed to fall free. Bunting should be used for decoration: First blue, then white, then red.



### Behind a Speaker

When used on a speaker's platform, the flag, if displayed flat, should be above and behind the speaker. Use bunting to decorate a speaker's desk or the front of the platform.



### Over a Street

When the U.S. flag is displayed other than from a staff, it should be displayed flat, or suspended so its folds fall free. When displayed over a street, place the union so it faces north or east, depending on the direction of the street.

### From a Building



When the flag is displayed from a staff projecting from a windowsill, balcony or building front, the union of the flag should always be at the peak of the staff unless the flag is half-staff.



### On a Wall

When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. In a window, the union should be to the flag's right when viewed from outside.



### On a Staff

When the U.S. flag is flown with flags or pennants of states, cities or societies, it should always be at the peak. When flown from adjacent staffs, the U.S. flag should be hoisted first and lowered last.

### National Flags



When flags of two or more nations are displayed together, they should be flown from separate staffs of the same height, and the flags should be of approximately equal size.



### In a Parade

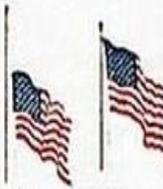
When carried in a parade front with other flags, the U.S. flag should always be to the marching right of the other flags, or to the front and center of the flag line.



### Showing Respect

When the flag is raised, lowered or is passing in a parade or review, everyone present, except military personnel, should face the flag and place his or her hand over their heart. Men remove their hats. Military personnel salute.

### Memorial Day



The flag should be briskly raised in the morning to the top, then lowered slowly to half-staff. At noon, the flag should be raised to the top again.



### On a Casket

When the flag is used on a casket, its union should be over the deceased's left shoulder. Carry the casket foot first. The flag should not be lowered into the grave or allowed to touch the ground.



### COMMISSION PROJECT PLAN

ASSIGNED COMMISSION	<input type="checkbox"/> Public Safety and Information	<input type="checkbox"/> Parks, Recreation and Natural Resources
	<input type="checkbox"/> Community Life	<input checked="" type="checkbox"/> Mobility, Accessibility and Transportation
REPORT UP TO	<input checked="" type="checkbox"/> City Administration Committee	<input type="checkbox"/> Planning and Economic Development Committee
	<input type="checkbox"/> Mayor	<input type="checkbox"/> Common Council
	<input type="checkbox"/> City Staff (specify): _____	

### 1. Project Title, Description and Background

**i** Give this project a title, describe how it came about, the purpose, and who is involved.

#### ADA Coordinator Proposal

The creation of a fully supported ADA Coordinator position for the City of Ithaca has been a priority issue for the former Disability Accessibility Council (DAC) and current priority for the MATC. MATC, ComLife, PRNR, and the City Clerk met on 3/13/19 to discuss the creation of formal proposal to the City and agreed on the basic need for this position and common interest in creating a well-thought out proposal for consideration across City officials and departments. MATC members Larry Roberts and Sarah Brylinsky will lead an group which includes a representative from each Commission and Kent Johnson to research and create this proposal (Research Team). This group requests support to meet with city officials to assess their needs and interest for such a position, and review a draft proposal. **The goal of this project is to submit a budget, rationale, and job proposal for a full-time ADA Coordinator to Common Council.**

### 2. Project Deliverables

**i** Please check off and describe below the exact deliverable(s) you are expecting from the Commission, and add details as needed.

- YES** Research the topic and provide a summary report on your findings. Include any recommendations along with reasons for the recommendations. (Requires a vote of the commission)
- Review a program, process or legislation from Council and provide feedback on the pros and cons. Report back should indicate whether the commission supports the program, does not support the program, or is neutral, along with the reasons why. (Requires a vote of the commission)

Arrange for a public presentation on the topic, gather feedback, solicit questions, and synthesize feedback in a findings report. (Vote of commission not required)

The Research team intends to circulate a draft ADA Coordinator proposal to several key City department heads or representatives and requests support for time to review and provide feedback on the proposal. This proposal requests staff time for this feedback.

