

MINUTES

Approved 1/8/09

PLANNING, DEVELOPMENT, AND ENVIRONMENTAL QUALITY COMMITTEE

DECEMBER 11, 2008 3:00 P.M. SCOTT HEYMAN CONFERENCE ROOM

Present: M. Robertson, Chair; P. Mackesey; M. Sigler; C. Chock; F. Proto (arrived at 3:05 p.m.)
Staff: C. Covert, Clerk of the Legislature; S. Doyle, Planning Department; J. Leccese, Planning Department; J. Jurkowich, Deputy Planning Commissioner; E. Marx, Planning and Public Works Commissioner; J. Kippola, Contracts Coordinator; J. Mareane, County Administrator; M. Lynch, Public Information Officer; F. Bonn, Convention and Visitors Center; S. Stein, Strategic Tourism Planning Board representative
Guest: T. Ashmore, Ithaca Journal reporter; N. Bohn, Ithaca Urban Renewal Agency; M. Tomlan, Common Council member

Call to Order

The meeting was called to order at 3:00 p.m.

Planning Department

Resolution – Housing Affordability Program and Housing Trust Program

Ms. Leccese provided a brief update on the Memorandum of Understanding (MOU) among the County of Tompkins, City of Ithaca, and Cornell University concerning the Tompkins County Housing Affordability Program and Housing Trust Program. Ms. Robertson briefly spoke about Cornell University's review of the MOU and said basically their suggestions were cosmetic with only one small policy issue.

In response to a question from Ms. Chock concerning the City's review of the MOU, Ms. Leccese said she spoke with Mr. Bohn who stated the Mayor is currently out of town, but that Common Council member Mary Tomlan who is Chair of the City's Planning Committee will be requesting a preliminary review at their next Committee meeting.

Mr. Marx also commented that there have been no substantive changes received.

Mr. Proto arrived at this time.

Ms. Chock commended staff for their hard work and believes this begins to move the County forward in a partnership to address affordable housing and the quantity of housing in the community.

It was MOVED by Ms. Chock, seconded by Mr. Sigler, to approve and submit the following resolution to the full Legislature for approval.

Ms. Mackesey questioned the Community Housing Collaborative in attachment 1 of the information provided to the Committee. Ms. Leccese said that information was put together by a group of housing professionals in the community. Mr. Marx clarified that it was an outcome of one of the Mayor's forums. Ms. Mackesey asked that more of an explanation be provided when being presented to the Legislature.

Ms. Mackesey understands a lot of work was put into this and a good effort made to try to do something different. Mr. Marx noted that there have already been several contacts from not-for-profit and for-profit agency developers who are interested. She hopes that the issue of development will be addressed including where water and sewer already exists.

Mr. Proto also commented on the amount of work that went into this effort. He asked if a table could be prepared that shows the contributions being made by each entity.

Minutes
Planning, Development, and Environmental Quality Committee
December 11, 2008

At this time Ms. Leccese and Mr. Marx briefly spoke about the funding for this initiative and said the program income funds are available from prior United States Department of Housing and Urban Renewal (HUD) Small Cities Community Development Block Grant (CDBG) funds. Program income funds in the cumulative amount of \$600,000 over the next six years will provide funding to be loaned and/or granted pursuant to a Notice of Funding Availability, which is a designated funding opportunity for the Community Housing Affordability Program and the Community Housing Trust Program.

Mr. Proto disclosed that he is an officer of the HSBC bank which is one of the banks asked to consider working with the University regarding their part of this effort.

Mr. Proto asked if the homes from the County and City would be available to Cornell's staff under their housing piece. Ms. Leccese said through the program oversight committee once applications are received each of the three entities will discuss them. Mr. Marx clarified that each application will be evaluated. Cornell has said that their funds will go to housing that will be made available to their staff but that does not mean it is exclusive and vice versa.

Mr. Marx also clarified that the funds are for pre-construction loans and underwriting the cost of housing through the housing trust to keep it affordable once it is built. The funds in this program are not the same as the funds in the homeownership program.

Mr. Proto raised a concern with the language in the second bullet on page 6 of attachment 1 – An Excerpt from the Community Housing Collaborative document and said he would be more comfortable if the paragraph ended at "...to commute" and take out the reference to pedestrians and bicyclists. Ms. Mackesey suggested adding public transportation. Mr. Marx said some of the attachments were written and agreed to by others and cannot be edited. They are only used as reference documents and do not dictate what is going to be done under the MOU. The MOU will determine how these funds are used.

Ms. Robertson commented that the Cornell President suggested a one-page statement describing what this effort is.

Discussion followed concerning the submittal of this to the Legislature and the Committee agreed that a presentation to the Legislature is needed.

Mr. Sigler spoke of his support for this effort.

Ms. Tomlan updated the Committee on the City's review and approval process. She said there has not been a meeting since receiving the information back from Cornell. There will be an internal committee review first which will be scheduled soon. Mr. Bohn said he is encouraging the Urban Renewal Agency to discuss this in January.

Mr. Proto asked if one of the three entities did not approve this, does it prevent others from moving forward. Mr. Marx said it does not, but does provide an out for them.

Further discussion followed concerning the presentation to the Legislature and Mr. Proto suggested that the other entities be invited. He also suggested that as much information as possible be made available justifying how these three entities arrived at this point.

Ms. Robertson reviewed the following information that should be included with the information to the Legislature:

- Note about the Community Housing Collaborative
- Table showing when the contributions are received and how much from each entity

- One-page summary (from County)

A voice vote resulted as follows: Ayes – 5, Noes – 0. RESOLUTION CARRIED.

RESOLUTION NO. - AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE CITY OF ITHACA AND CORNELL UNIVERSITY TO DEVELOP AND ADMINISTER THE HOUSING AFFORDABILITY PROGRAM AND THE HOUSING TRUST PROGRAM

WHEREAS, the County received Small Cities Community Development Block Grant (CDBG) funds from the United States Department of Housing and Urban Development (HUD) in 1993, 1994, 1996, 1997, 1998, and 1999, and through the State of New York in 2000, 2002, 2005 and 2007 for the purpose of continuing its successful existing home mortgage program for first-time homeowners, and

WHEREAS, the County used these funds for homeownership assistance loans, repayment of which began in September 1995 and, under the rules of the HUD Small Cities Program, these program income funds must be respent for like purposes as the original grants, and

WHEREAS, the Tompkins County Housing Needs Assessment emphasizes the need for strategic partnerships, and

WHEREAS, the Tompkins County Housing Strategy outlines four strategies that can be utilized in combination to achieve our goal to create approximately 4,000 new housing units within the next ten years including a community housing trust and community housing affordability fund, and

WHEREAS, a proposal has been developed whereby Tompkins County, Cornell University and the City of Ithaca would jointly fund a Community Housing Affordability Program and Community Housing Trust Program, and

WHEREAS, the Community Housing Affordability Program is a locally funded and administered program that assists with the pre-development costs associated with residential and mixed use real estate development projects primarily benefiting low and moderate income households and the Community Housing Trust Program is a program designed to ensure that newly constructed or rehabilitated homes that are made available to low to moderate income households remain affordable to future generations of buyers, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That Tompkins County shall provide funding to be loaned and/or granted pursuant to a Notice of Funding Availability, which is a designated funding opportunity for the Community Housing Affordability Program and the Community Housing Trust Program, in a cumulative amount not to exceed six hundred thousand dollars (\$600,000.00) over six years,

RESOLVED, further, That Tompkins County approves and accepts the Memorandum of Understanding (MOU) among the County of Tompkins, the City of Ithaca, and Cornell University with regard to the Community Housing Affordability Program and the Community Housing Trust Program, provided that revisions may be made to the MOU that do not substantially or materially alter the intent or substance of the MOU and which are reviewed and approved by the County Attorney,

RESOLVED, further, That Tompkins County will appoint three representatives to the Program Oversight Committee which will serve as the oversight and administration entity for the Community Housing Affordability Program and the Community Housing Trust Program,

RESOLVED, further, that the Tompkins County Planning Department will provide administrative support for the Program Oversight Committee for the term covered by the MOU until and unless other arrangements are made by the Program Oversight Committee,

RESOLVED, further, That Tompkins County approves and accepts the Notice of Funding Availability for the Community Housing Affordability Program and the Community Housing Trust Program subject to review and modification by the Program Oversight Committee provided that such

revisions do not materially change the intent of the Programs and will be subject to County Attorney review,

RESOLVED, further, That Tompkins County shall initially capitalize the first year of the Community Housing Affordability Program and Community Housing Trust Program with a cash balance of one hundred thousand dollars (\$100,000), such amount to be derived from County's CDBG Homeownership Program Income Funds, and That the Finance Director is authorized and directed to make the following budget adjustment:

Revenue	8695	Appropriated Fund Balance	\$100,000
Appropriation	8695.54400	Program Expense	\$100,000

RESOLVED, further, That the funding will be for a term of one year with an end date of December 31, 2009, or until the completion of two application cycles, whichever is later, and shall automatically be renewed at a rate of \$100,000 per year for additional two year terms up to a total of six years, consistent with the terms of the MOU,

RESOLVED, further, That the County Administrator or his designee be authorized to execute agreements in order to effect this grant program consistent with this resolution.

SEQR ACTION: TYPE II - 20

* * * * *

Resolution – ICLEI Membership

It was MOVED by Mr. Proto, seconded by Ms. Chock, to approve and submit the following resolution to the full Legislature for approval. *Ms. Mackesey asked if this membership was split with the City. An answer was not available at this time; Mr. Marx said he will look into this. A voice vote resulted as follows: Ayes – 5, Noes – 0. RESOLUTION CARRIED.*

RESOLUTION NO. – APPROPRIATION FROM CONTINGENT FUND -- INTERNATIONAL COUNCIL ON LOCAL ENVIRONMENTAL INITIATIVES (ICLEI) MEMBERSHIP

WHEREAS, in 2001 Tompkins County joined the Cities/Counties for Climate Protection (CCP) project of the International Council on Local Environmental Initiatives (ICLEI) a program for municipal governments to identify sources of greenhouse gas emissions (GHG) within their jurisdictions and take actions to reduce such emissions, and

WHEREAS, Tompkins County completed an inventory of the GHG emissions from County government operations in 2001 and a Local Action Plan to Reduce GHG Emissions from County government operations in 2003, and

WHEREAS, the Tompkins County's Local Action Plan to Reduce GHG Emissions for County government operations established a 2008 goal of reducing by twenty percent the amount of GHG emissions from the operation of County government compared to its 1998 baseline, and

WHEREAS, Tompkins County completed an update to its GHG emission inventory in Summer 2007 to assess how County government is progressing toward its reduction goal using the ICLEI software and technical assistance, which expresses all GHG emissions containing CO₂ equivalents (eCO₂), and

WHEREAS, Tompkins County has developed a new Energy and Greenhouse Gas Emissions Element to the County Comprehensive Plan that incorporates the findings from the carbon emissions inventory, and

WHEREAS, membership in ICLEI will provide resources to assist Tompkins County in its GHG emissions reduction efforts and continue Tompkins County's commitment to this effort,

WHEREAS, by Resolution No. 104 of 2008, Tompkins County renewed its membership with the International Council for Local Environmental Initiatives, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality and the Budget and Capital Committees, That Tompkins County renew its membership with the International Council for Local Environmental Initiatives,

RESOLVED, further, That membership fees in the amount of \$1,200 be paid for 2009,
RESOLVED, further, That the Director of Finance is authorized and directed to make the following appropriation:

From: Contingent Fund	1990.54400	\$1,200
To: Dues & Memberships	1920.54400	\$1,200

SEQR ACTION: TYPE II-18

* * * * *

Presentation – Flood Hazard Mitigation Program Update

Mr. Doyle provided the Committee with a PowerPoint presentation and an overview of the Flood Hazard Mitigation Program.

Program History

2005 – Watershed Needs Assessments

- Six Mile Creek, Salmon Creek, Fall Creek, and Cayuga Inlet

2006 – Program restructured to follow objectives outlined in assessments

- Emphasized watershed/systems approach

2007 – New program underway

Program Objectives

1. Ensure projects developed using a watershed approach considering impacts downstream and upstream
2. Use sustainable strategies over structural approaches
3. Support goals of the Flood Mitigation Needs Assessment, Multi-Jurisdictional Hazard Mitigation Plan, and County Comprehensive Plan
4. Use program to leverage other funding sources
5. Support long-term approach to water resource management
6. Projects should support high levels of surface water and groundwater quality

Project Selection

- Projects initially identified from Flood Hazard Needs Assessment or from municipal input
- Technical Committee reviews and prioritizes projects
 - County Planning Department, Health Department, Soil and Water, US Geological Survey, US Fish and Wildlife Service
- Prioritized projects brought before Legislature through Planning, Development and Environmental Quality (PDEQ) Committee for approval
- Projects Initiated

2007 Projects

- 8 Projects Selected
- Located in 4 Watersheds
 - o Six Mile Creek
 - o Salmon Creek
 - o Fall Creek Cayuga Inlet
- Located in 5 Municipalities
 - Towns of Caroline, Lansing, Dryden, and Danby
 - Village of Freeville

2008 Projects

- 2 Additional Projects Selected
- Located in 2 Watersheds

Minutes

Planning, Development, and Environmental Quality Committee
December 11, 2008

- West Branch Owego Creek
- Fall Creek
- Located in 2 Municipalities
 - Town of Caroline
 - Village of Dryden

Project Overview

- Current annual budget - \$25,000
 - Individual project costs range to date
 - \$1,060 to \$9,853
- Types of projects
 - Restoration
 - Re-vegetation
 - Maintenance

Select Project Overviews

1. Brooktondale at Middaugh Road Bank Erosion
2. Virgil Creek Stream Restoration Site
3. Abandoned Railroad Bridges

Program Lessons to Date

- Project costs higher than initially estimated
 - Largely a result of the need for specialized equipment and operators
- Most activity occurs in fall
 - Management should begin early
 - Documenting, permitting, work with property owners, sub-contractor coordination
- Critical role of Partnership
 - Tompkins County Soil and Water District, Tompkins County, Local Municipalities, Sub-contractors

Overview of Activity

- Program has leveraged DEC funding
- Riparian Buffer Agreement developed to protect projects and creek buffers
- Planted over 600 trees on program's projects enhancing stream buffers

Commissioner's Report

Mr. Marx informed the Committee of a letter he received from the United States Geological Survey that a stream gauge on Salmon Creek that records information on water levels and stream flow will be discontinued at the end of this year due to lack of funding. They would be willing to put up 28% of the cost (\$21,540) of annually maintaining the gauge if the other 72% were paid by another party such as the County or a municipality.

Mr. Proto said a similar letter was received for Six Mile Creek that will be discussed at the Water Resources Council meeting on Monday and recommended that the letter Mr. Marx is referencing be included in that discussion.

Ms. Robertson said the Town of Dryden was approached about funding of the Six Mile Creek and asked if the Town of Lansing was approached; Mr. Marx said they were but stated they were not interested.

Stimulus Package

Ms. Robertson spoke briefly about the draft Federal Stimulus Package: A Proposal from Tompkins County she prepared with input from Julia Mattick of Workforce Development, Ken Schlather of Cooperative Extension and others. She is open to other suggestions and is looking for guidance in moving this forward. One idea she suggested was to continue with meetings with Federal and State representatives and share this information and invite Legislators.

Mr. Proto believes other staff should review this document and allow them to comment.

Mr. Marx said through ITCTC (Ithaca-Tompkins County Transportation Council) he has been asked to submit transportation projects. The MPO (Metropolitan Policy Organization) is putting together a list of highway and bridge projects. He commented that the County Administrator had forwarded him a survey that NYSAC (New York State Association of Counties) is putting together that identifies projects in a number of different categories including highway, sewer, water, and bridges that could be undertaken in the short-term. That information is currently being compiled from within the County that could be available.

Ms. Robertson said in a conversation she had with Dan Lamb of Congressman Hinchey's office in sharing this list, she learned that the Federal stimulus package will not be a member item process, it will be grants through state channels.

She said in her proposal, she tried to identify existing streams of funding and re-infuse money through the existing streams.

Mr. Sigler believed the list was fine in terms of a spending plan, and said a spending plan is not the same as a stimulus plan. He does not believe that some of the items in the list will add to stimulus. Secondly, he does not believe the document should be too precise as it could be too constraining.

Ms. Chock hoped that this document would identify how the County would be ready to move forward with certain projects which may have some influence in how a package is framed.

Ms. Mackesey believes there needs to be a discussion with the Legislature as a group. One area she spoke of was transportation and said a report was provided by TCAT that 16 buses are beyond their usefulness.

Mr. Proto believes it is wise to let Federal representatives know the County is interested in submitting something and then have a meeting among departments and other entities to discuss this and any impact it may have on them.

Mr. Marx said it is important that the County is prepared and ready for many different possibilities.

Mr. Mareane spoke of his belief that things will happen at "light speed" in a short period of time. He believes the Governor will move unusually quickly providing a very narrow window of time to influence policy. He views the draft document as an opportunity to have some effect on the ultimate plan as approved by Congress. Informing State and Federal officials of what areas would be helpful to Tompkins County is a good idea. If the Committee has concerns it wishes to address in this document at the departmental level, he suggests circulating it as soon as possible to Department Heads for comments or critiquing and return it to the Legislature for a full discussion.

Discussion followed concerning the comments by Mr. Mareane, and the Committee agreed that more input from Departments was needed and requested the document be sent out as recommended by Mr. Mareane.

Strategic Tourism Planning Board

Resolutions

It was MOVED by Mr. Proto, seconded by Mr. Sigler and unanimously adopted by voice vote, to approve and submit the following resolution to the full Legislature for approval:

RESOLUTION NO. - FUNDING OF COMMUNITY CELEBRATIONS GRANTS

WHEREAS, Tompkins County has a grant program for community celebrations using funds drawn entirely from Room Occupancy Tax, and

WHEREAS, the Strategic Tourism Planning Board has requested and reviewed grant applications for recommendation to the Planning, Development and Environmental Quality Committee and the Tompkins County Legislature, and

WHEREAS, the Planning, Development and Environmental Quality Committee has reviewed and approved the recommendations of the Strategic Tourism Planning Board, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the following grants are approved:

City of Ithaca	2009 Slush Fest	\$1,200
Town of Ithaca	Celebrating Community on Cayuga Lake	<u>1,700</u>
		\$2,900

RESOLVED, further, That the County Administrator or designee shall be authorized to sign any documents related to the aforementioned projects.

SEQR ACTION: TYPE II-20

* * * * *

It was MOVED by Ms. Mackesey, seconded by Ms. Chock, to approve and submit the following resolution to the full Legislature. Mr. Proto expressed his concern and opposition to funding being used for an Interim Director's position. Ms. Kippola noted that it is permitted within the guidelines. A voice vote resulted as follows on the resolution: Ayes – 4, Noes – 1 (Proto). RESOLUTION CARRIED.

RESOLUTION NO. - FUNDING OF NEW TOURISM INITIATIVE GRANTS

WHEREAS, Tompkins County has a grant program for New Tourism Initiatives using funds drawn entirely from Room Occupancy Tax, and

WHEREAS, the Strategic Tourism Planning Board has requested and reviewed grant applications for recommendation to the Planning, Development and Environmental Quality Committee and the Tompkins County Legislature, and

WHEREAS, the Planning, Development and Environmental Quality Committee has reviewed and approved the recommendations of the Strategic Tourism Planning Board, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the following grant is approved :

Finger Lakes Wine Center	Temporary Interim Director & Fundraiser	\$25,000
--------------------------	---	----------

RESOLVED, further, That the County Administrator or designee shall be authorized to sign any documents related to the aforementioned projects.

SEQR ACTION: TYPE II-20

* * * * *

It was MOVED by Ms. Mackesey, seconded by Ms. Chock, to approve and submit the following resolution to the full Legislature for approval. Following a brief explanation, a voice vote resulted as follows: Ayes – 5, Noes – 0. RESOLUTION CARRIED.

RESOLUTION NO. - FUNDING OF TOURISM MARKETING AND ADVERTISING GRANTS

WHEREAS, Tompkins County has a grant program for Tourism Marketing and Advertising using funds drawn entirely from Room Occupancy Tax, and

WHEREAS, the Strategic Tourism Planning Board has requested and reviewed grant applications for recommendation to the Planning, Development and Environmental Quality Committee and the Tompkins County Legislature, and

WHEREAS, the Planning, Development and Environmental Quality Committee has reviewed and approved the recommendations of the Strategic Tourism Planning Board, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the following grants are approved:

Ithaca Triathlon Club	2009 Cayuga Lake Triathlon	\$1,000
Light in Winter, Inc.	2009 Light in Winter Festival	\$4,369
PRI/Museum of the Earth	Charles Darwin After the Origin Exhibit	\$5,000
Finger Lakes Wine Center	Grand Opening	<u>\$5,000</u>
		\$15,369

RESOLVED, further, That the County Administrator or designee shall be authorized to sign any documents related to the aforementioned projects.

SEQR ACTION: TYPE II-20

* * * * *

It was MOVED by Mr. Sigler, seconded by Ms. Chock, to approve and submit the following resolution to the full Legislature for approval. Mr. Proto again expressed concern and opposition with using tourism money for positions. Ms. Kippola and Mr. Stein said the purpose of this grant request is to respond to a demand to strengthen and improve Countywide festival and event planning which exists all over the County. The proposal is designed to provide specific festival and special event planning technical assistance including interacting with public safety officials, the Health Department, the fire department, etc.

Following further discussion, a voice vote resulted as follows: Ayes – 3 (Chock, Mackesey, and Robertson); Noes – 2 (Proto and Sigler). RESOLUTION CARRIED.

RESOLUTION NO. - FUNDING FOR FESTIVAL OUTREACH

WHEREAS, the Tompkins County Tourism Program administrators receive numerous requests each year for technical assistance from festival producers, and

WHEREAS, the grant applicants often request financial support for the production of festivals, and

WHEREAS, the Strategic Tourism Planning Board (STPB) recognizes the demand for a proactive approach to such requests, and that there is a scale of economy to be achieved in joint purchases, planning, and coordination for festivals county-wide, and

WHEREAS, there are adequate funds earmarked for festival outreach in the 2009 Tompkins County Tourism Program budget,

WHEREAS, the Strategic Tourism Planning Board has requested and reviewed grant applications for recommendation to the Planning, Development and Environmental Quality Committee and the Tompkins County Legislature, and

WHEREAS, the Planning, Development and Environmental Quality Committee has reviewed and approved the recommendations of the Strategic Tourism Planning Board, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the following amount is approved for the proposal:

Downtown Ithaca Alliance	2009 Festival Outreach	\$20,000
--------------------------	------------------------	----------

RESOLVED, further, That the County Administrator or designee shall be authorized to sign any documents related to the aforementioned project.

SEQR ACTION: TYPE II-20

* * * * *

Ms. Robertson announced that the Committee will meet January 8th and will discuss the issue of tourism money for economic development.

Tourism Subcommittee

Ms. Chock updated the Committee on the work of the Tourism Subcommittee. The charge was given to the group by Ms. Robertson as Chair of the Planning, Development, and Environmental Quality Committee in November to provide a recommendation and resolution regarding the use of funds. They will be looking at the history and staffing needs related to the tourism program including how the program is administered. The Subcommittee is not yet ready to release any information. The group has met with some of the stakeholders and reviewed the County Code including how the room occupancy tax is implemented. She distributed a list of programs and how they are implemented and funded.

Ms. Robertson clarified that the intent is to define what is the need, what have volunteers been doing, and what needs to be staffed professionally.

Industrial Development Agency

Resolution

Ms. Robertson reminded the Committee that the proposal for changing the members of the Industrial Development Agency (IDA) was discussed last month. Two resolutions are being presented to the Committee for consideration: (1) support status quo, and (2) support IDA's recommendation.

It was MOVED by Mr. Proto, seconded by Mr. Sigler, to approve and submit the following resolution for the approval. In response to a question by Ms. Mackesey, it was explained that it is not "best practice" to have the body that establishes the IDA have a majority membership. Ms. Robertson clarified that although it is not illegal, it is not "best practice" as indicated by the State Budget Authority office. A note has already been made in the Manager's memorandum on the IDA's audit which would probably happen again if the membership is not changed.

Following further discussion, a voice vote resulted as follows: Ayes – 5, Noes – 0.
RESOLUTION CARRIED.

RESOLUTION NO. - TOMPKINS COUNTY LEGISLATURE POSITION ON TOMPKINS COUNTY INDUSTRIAL DEVELOPMENT AGENCY (IDA) MEMBERSHIP, ACCEPTING THE RECOMMENDATION OF THE IDA

WHEREAS, historically the membership of the Tompkins County Industrial Development Agency (IDA) has consisted of four members appointed from the Tompkins County Legislature, one Tompkins County Area Development (TCAD) Board representative, and two at-large members, and

WHEREAS, the New York State Public Authority Budget Office recommends, as a “best practice” with respect to board member independence, that there not be a majority of members from the entity that created the public authority (IDA), and

WHEREAS, in October 2008, the Tompkins County Industrial Development Agency revised its bylaws, including several changes to the membership categories and terms of service, and

WHEREAS, the new bylaws state that the membership shall consist of three members from the Legislature, one TCAD Board representative, one elected official from a municipality, one elected official from a school board, and one at-large member, and

WHEREAS, the revised bylaws also state that: “All members shall be County residents. The membership as a group should have representatives from both urban and rural areas of the County and should embody skills that would complement the work of the Agency including substantial finance and/or business experience and experience in workforce and labor issues. In addition, the Agency will seek to have a diverse representative board including but not limited to race, gender, sexual orientation, disability, and other legally protected classes.”, and

WHEREAS, according to the County Attorney, those portions of the IDA's bylaws that concern membership are advisory to the Tompkins County Legislature. As statutory law provides that the right to appoint IDA members rests with the County Legislature, it has the final authority to determine the makeup of the IDA Board, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That despite its authority to maintain the status quo, the Tompkins County Legislature wishes to accept the Industrial Development Agency's recommendations,

RESOLVED, further, That the Tompkins County Legislature directs the Chair of the Legislature to nominate IDA members according to the goal of diversity on its board (cited above), and according to the following designations: three members from the Legislature, one Tompkins County Area Development Board representative, one elected official from a municipality, one elected official from a school board, and one at-large member,

RESOLVED, further, That such nominations will be subject to the approval of the committee overseeing the Industrial Development Agency and the full Legislature.

SEQR ACTION: TYPE II-20

* * * * *

Approval of Minutes

November 13, 2008

It was MOVED by Ms. Mackesey, seconded by Mr. Sigler, and unanimously adopted by voice vote, to approve the minutes of November 13, 2008, as corrected.

December 2, 2008

This item was deferred to the next meeting.

Appointments

Water Resources Council

It was MOVED by Ms. Mackesey, seconded by Mr. Sigler, to approve and submit the following appointments to the full Legislature for approval. Ms. Chock asked if diversifying advisory boards is being achieved. Ms. Wilsea noted that she reported to the advisory boards that attendance records were going to be scrutinized this year when looking at reappointments resulting in some members not reapplying. In response to Ms. Chock's concern about diversity, Mr. Proto noted that the Government Operations Committee is the Committee responsible for advisory board policies where that discussion should take place. Ms. Robertson agreed to bring this to Government Operations Chair Mike Hattery and Workforce Diversity and Inclusion Committee Chair Leslyn McBean-Clairborne's attention.

Minutes
Planning, Development, and Environmental Quality Committee
December 11, 2008

Discussion continued concerning the proposed appointments to Water Resources Council, and Ms. Robertson expressed concern with appointing one applicant based on the attendance records presented. It was suggested that since there will be a new Environmental Management Council (EMC) Chair in 2009, the Committee agreed to postpone then nomination and ask the WRC Nominating Committee to review it.

A voice vote resulted as follows on the following appointments: Ayes – 5, Noes – 0.
APPOINTMENTS CARRIED.

Terms expire December 31, 2011

Todd Miller – USGS representative
Liz Cameron – Environmental Health representative
Sharon Anderson – Cooperative Extension representative
Cindy Schulte – Municipal representative
Elaine Quaroni – At-large representative
Donna Eschenbrenner – At-large representative

Term expires December 31, 2010

Herbert Dwyer – Economic Development representative

Environmental Management Council (EMC)

It was MOVED by Mr. Sigler, seconded by Ms. Chock, and unanimously adopted by voice vote, to approve and submit the following appointments to the full Legislature for approval:

Terms expire December 31, 2010

Kenny Christianson – At-large (seat #7) representative
Dan Lamb – At-large (seat #8) representative
Marissa Weiss – At-large (seat #9) representative
James McGarry – At-large (seat #11) representative
Amy Risen – At-large (seat #12) representative
Stephen C. Komor – At-large (seat #13) representative

It was noted that seat #10 is being “retired” as a tribute to Herb Engman’s 29 continuous years of service to EMC.

Planning Advisory Board

It was MOVED by Mr. Sigler, seconded by Ms. Chock, to approve and submit the following appointments to the full Legislature for approval. Ms. Robertson expressed the same concern with attendance based on the records presented and requested the appointment for the Housing representative be tabled. Ms. Mackesey suggested that the concerns with attendance be brought to the advisory boards attention with a request that in the future to get someone who can attend more.

Following a brief discussion, it was MOVED by Ms. Chock, seconded by Ms. Mackesey, to table the appointment for the Housing representative with a request that this be revisited. Mr. Sigler believes the decisions for nominating individuals should be made by the advisory boards. A voice vote resulted as follows on the MOTION TO TABLE: Ayes – 4, Noes – 1 (Sigler). MOTION CARRIED.

A voice vote resulted as follows on the following appointments: Ayes – 4, Noes – 1 (Sigler).
MOTION CARRIED.

Minutes

Planning, Development, and Environmental Quality Committee

December 11, 2008

Terms expire December 31, 2011

Andrew Zepp – Land Preservation/Public Land Management representative

Fernando de Aragon – Transportation representative

Martha Armstrong – Economic Development representative

John Gutenberger – Education representative

Local Empire Zone Administration Board

It was MOVED by Ms. Mackesey, seconded by Mr. Sigler, and unanimously adopted by voice vote, to approve and submit the following appointments to the full Legislature for approval:

Terms expire December 31, 2011

Jean McPheeters – Local Business representative

Carl E. Haynes – Local Education Institution representative

Michael Hattery – Residential representative

Adjournment

The meeting adjourned at 5:19 p.m.