

RESOLUTIONS INTRODUCED

23.42.12R RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A PAYMENT IN-LIEU-OF TAX (PILOT) AGREEMENT WITH LUMBER STREET APARTMENTS HOUSING DEVELOPMENT FUND CORP.

24.42.12R RESOLUTION OF THE COMMON COUNCIL PROCLAIMING MAY 2012 AS BIKE MONTH IN THE CITY OF ALBANY

Council Member introduced the following:

Resolution Number 23.42.12R

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A PAYMENT IN-LIEU-OF TAX (PILOT) AGREEMENT WITH LUMBER STREET APARTMENTS HOUSING DEVELOPMENT FUND CORP.

WHEREAS, the Lumber Street Apartments Housing Development Fund Corp. (the “HDFC”) is a corporation established pursuant to section 402 of the Not-For-Profit Corporation Law and Article XI of the Private Housing Finance Law (“PHFL”), and is controlled by or under common control with the Albany Housing Authority (“AHA”); and

WHEREAS, the HDFC is organized as a “housing development fund company” as that term is defined in Section 572 of the PHFL; and

WHEREAS, the HDFC’s plan for the use of the property hereinafter described, consisting of the construction and redevelopment of eighty (80) residential rental units for persons and families of low-income, constitutes a “housing project” as that term is defined in Section 572 of the PHFL (the “Project”) and will be located and situated at or near 252 North Pearl Street in the City and County of Albany, State of New York (the “Property”); and

WHEREAS, the HDFC is the owner and property manager of the Property; and

WHEREAS, pursuant to Section 577(1) of the PHFL, the local legislative body of a municipality may exempt a project of a housing development fund company from local and municipal taxes, including school taxes, other than assessments for local improvements, to the extent of all or a part of the value of the property included in the completed project for a period of up to thirty (30) years;

NOW, THEREFORE BE IT RESOLVED, that the Property and the Project shall be exempt from real property taxes to the extent described in Section 577(1) of the PHFL for a period of thirty (30) years, including city, county and school taxes, other than assessments for local approvals, and that the Mayor be and he is hereby authorized and empowered to execute and enter into a PILOT agreement with the Company and the HDFC in a form approved by the Corporation Counsel, together with such other and further forms, documents and agreements necessary to amend, renew, supplement or effectuate the same.

RESOLVED, that this resolution shall take effect immediately.

To: Nala Woodard, City Clerk
From: Patrick K. Jordan, Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 6, 2012

RESOLUTION NUMBER 23.42.12R

TITLE:

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A
PAYMENT IN-LIEU-OF TAX (PILOT) AGREEMENT WITH LUMBER STREET
APARTMENTS HOUSING DEVELOPMENT FUND CORP.

GENERAL PURPOSE OF LEGISLATION

TO AUTHORIZE THE EXECUTION OF A PILOT AGREEMENT WITH LUMBER STREET
APARTMENTS HOUSING DEVELOPMENT FUND CORP.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

THE COUNCIL HAS AUTHORITY TO AUTHORIZE THE EXECUTION OF PILOTS.

EXPLANATION OF DEADLINE/REQUESTED TIME FRAME FOR PASSAGE

AT THE COUNCIL'S EARLIEST CONVENIENCE

SPECIFICS OF BIDDING/OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

THE CITY SHALL RECEIVE ITS PORTION OF TEN PERCENT (10%) OF THE AGGREGATE
COLLECTED ANNUAL TENANT PAID RENTS LESS THE AGGREGATE ANNUAL DEBT
SERVICE PAYMENTS.

THE PROPOSED PILOT WILL BE PROVIDED TO THE COUNCIL. AN AHA REPRESENTATIVE WILL BE AVAILABLE WHENEVER THE COUNCIL CAN ACCOMMODATE A DISCUSSION DURING AN UPCOMING CAUCUS.

Council Members Golby, Calsolaro and Konev introduced the following:

Resolution Number 24.42.12R

RESOLUTION OF THE COMMON COUNCIL PROCLAIMING MAY 2012 AS BIKE MONTH IN THE CITY OF ALBANY

WHEREAS, in 2009, the City of Albany, in partnership with the Capital District Transportation Committee (CDTC) completed a Bicycle Master Plan identifying a network of bicycle routes to improve cycling as a viable mode of transportation throughout the City; and

WHEREAS, the network will support a safe and healthy transportation alternative that is paramount to achieving sustainability and enhancing the quality of life in the City; and

WHEREAS, since implementing the Bicycle Master Plan, the City of Albany has added or improved 9.97 miles of bicycle infrastructure, which includes multi-use paths, shared use markings (sharrows), signage, and bike lanes throughout the City of Albany; and

WHEREAS, in 2005 nearly 25% of major injuries and fatalities on New York roadways were pedestrians and bicyclists, almost twice the national average; and

WHEREAS, numerous surveys have found that the number one reason people do not cycle as a mode of transportation is because of their fear of sharing the roadway with automobiles. Addressing concerns about personal safety and comfort is the key to creating a city where cycling is recognized as both a mode of transportation and a recreational activity; and

WHEREAS, in April 2010 the CAPITAL COEXIST website (www.capitalcoexist.org) was launched. This localized education campaign is geared towards cyclists and motorists safely coexisting when using the region's roadways. Capital Coexist was developed by the CDTC in response to the Albany Bicycle Master Plan and public requests for bicycle education and safety information; and

WHEREAS, the Capital Region Bike Rack program administered by CDTC and the Capital District Transportation Authority oversaw the successful installation of 176 bike racks in 2010, 91 bike racks in 2011 and has processed applications to approve an additional 55 bike racks in 2012 in the City of Albany; and

WHEREAS, the Mayor's Office of Energy & Sustainability was established by Mayor Jennings in 2010 to coordinate energy conservation and efficiency initiatives among the municipal departments and to drive community wide efforts to become a more livable and sustainable city. The office's website is www.albanysustainability.org; and

WHEREAS, in 2007, the world's foremost authority on climate change, the Intergovernmental Panel on Climate Change (IPCC), declared that the "Warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice and rising global average sea level" and that "human influence is very likely the leading cause of global warming;" and

WHEREAS, the City of Albany's Greenhouse Gas (GHG) Emissions inventory, available on the Office of Energy and Sustainability, website found that 21% of total community GHG emissions are generated from transportation. This percentage can be reduced by community members making the choice to walk, bike or ride the bus more frequently; and

WHEREAS, the League of American Bicyclists, the New York Bicycling Coalition, Capital Coexist, the Albany Police Department, the Albany Bicycling Coalition, and others are promoting greater public awareness of bicycle operation and safety education in an effort to reduce accidents, injuries and fatalities for all; and

WHEREAS, in communities across the country, a movement is growing to complete the streets. States, cities and towns are asking their planners and engineers to build road networks that are safer, more livable, and welcoming to everyone; and

WHEREAS, instituting a "complete streets" policy ensures that transportation planners and engineers consistently design and operate the entire roadway with all users in mind - including bicyclists, public transportation vehicles and riders, and pedestrians of all ages and abilities; and

WHEREAS, Section 152 of the New York State Traffic Law defines "traffic" as "Pedestrians...vehicles, bicycles and other conveyances either singly or together while using any highway for the purpose of travel;" and

WHEREAS, in summary, three key components of the New York State Traffic Law that relate to bicycling are:

- Bicyclists must ride with traffic and thus travel in the same direction as motor vehicles.
- A bicycle is a vehicle and as such must observe all traffic laws and obey all signals, signs, and pavement markings.
- Bicyclists must signal to turn on a roadway, a bike lane or bike path; and

WHEREAS, at the National Bike Summit in March 2010, the U.S. Secretary of Transportation, Ray LaHood stated, "Today, I want to announce a sea change. People across America who value bicycling should have a voice when it comes to transportation planning. This is the end of favoring motorized transportation at the expense of non-motorized;" and

WHEREAS, there is a month of events to promote bicycling, including: The Albany Bike Expo 2012 on Sunday, May 6th, The National Ride of Silence on May 16th, National Bike-to-Work Day on May 20th and the Albany Police Department and PAL 2012 Bike Rodeo on

NOW, THEREFORE, BE IT RESOLVED, that the City of Albany Common Council hereby proclaims May 2012 as Bike Month in the City of Albany, urges all motorists and bicyclists to follow New York State's Vehicle and Traffic Law, and share the road respectfully and responsibly.

To: Mr. Nala Woodard, City Clerk
From: Leah Golby, Council Member
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 4, 2012

RESOLUTION NUMBER 24.42.12R

TITLE

RESOLUTION OF THE COMMON COUNCIL PROCLAIMING MAY 2012 AS BIKE MONTH
IN THE CITY OF ALBANY

GENERAL PURPOSE OF LEGISLATION

To promote bicycle safety and awareness for bicyclists, pedestrians and motorists, and to promote the
environmental and health benefits of bicycle riding during bike month and throughout the year.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

It is important that members of the public understand bicycle safety. No change to existing law.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

It is requested that this be passed prior to May to provide ample time to promote May as Bike Month.

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

N/A
