

Council Member Farrell on behalf of the Committee on Finance, Assessment, and Taxation introduced the following:

Resolution Number 81.102.21R (As Amended 11/15/21)

RESOLUTION OF THE COMMON COUNCIL OUTLINING ITS ACTIONS AND EXPRESSING ITS FINDINGS AND INTENT CONCERNING THE CITY OF ALBANY 2022 BUDGET AS PROPOSED IN ORDINANCE 31.102.21

WHEREAS, on October 1, 2021, the Common Council received the Mayor’s proposed City of Albany fiscal year 2022 operating budget and accompanying budget message; and

WHEREAS, after receipt of such budget, the Common Council Finance, Taxation and Assessment Committee and the full Common Council engaged in an extensive review of the proposed budget which included over eleven meetings, discussions with ten department heads, two public hearings, and requests for additional information; and

WHEREAS, the Common Council has identified several areas of concern, needed amendments, and items requiring further action;

NOW, THEREFORE, BE IT RESOLVED that the Common Council adopts the following statement outlining its findings, intent, and recommendations for future action concerning the Proposed City of Albany Budget for Fiscal Year 2022:

**Proposed 2022 City of Albany Budget
Statement of Common Council Actions, Findings, Intent, and Recommendations**

Council Priorities

Before the issuance of the proposed budget, individual Council Members met with the Mayor and her staff to discuss Ward specific initiatives and needs that should be addressed in the budget. During Finance, Taxation, and Assessment Committee meetings, Council Members highlighted several items, some of which will be more fully explained below.

Infrastructure upkeep and improvement throughout our City is always of high importance and need to be a high priority. As a result of our northeast climate, roads and sidewalks are in continual need of upkeep and improvement. We urge the Administration to develop a systematic process to continue the conversion of blacktop sidewalks to cement as part of a citywide improvement as well as a systematic process to identify needed sidewalk repairs to assure pedestrian safety and accessibility and pursue snow removal programs that emphasize improved pedestrian access along sidewalks, street crossings and at bus stops. Additionally, we note that parks have always been important to our constituents, but the pandemic has highlighted how essential our parks are across the City. Ensuring our parks are well kept, cleaned, and improved is essential. It was also noted in both the 2020 and the 2021 Budget Intent Resolutions the intention that the City would endeavor to improve services to assist with the maintenance of vacant and poorly maintained properties, we understand how staffing issues has led to delays in

this process in 2021 but we again highlight the importance of this item and look for improvements in 2022.

Common Council Public Comment/Hearings

In addition to regular public comment at Council meetings, there were two public hearings held on October 18, 2021, and November 1, 2021, for residents to have input on the budget. The Council received several public comments relating to: the need for a position within the city to ensure compliance and enforcement of Inclusionary Housing Requirements within the USDO; support of an allocation of funds in support of homeownership in historically dispossessed neighborhoods; and, ensure that there are additional 2022 budget investments surrounding sustainability including an additional \$39,325 to support growth in the City's composting initiative (detailed in subsection IV below), and for \$2 million be allocated to begin implementation of the City's Bicycle and Pedestrian Master Plan.

Common Council Review of the 2022 Proposed Budget

During its review, the Finance, Taxation, and Assessment Committee and other Council Members identified the following issues and concerns, some of which can be addressed in amendments made by the Council, and others that the Council has no authority or ability to change that need further attention by the Administration:

I. Support for Albany's Fair Share

The Mayor's proposed 2022 budget includes \$15 million in Capital City funding. This is a \$2.5 million increase in Capital City funding from previous years, which was \$12.5 million, and Council is in full support. The Council still believes that even with this increased amount, Albany's state aid is inequitable and insufficient given that 63% of the property in the City is tax-exempt, our Aid to Municipalities (AIM) funding is disproportionately lower than other similar upstate cities, and the City provides essential services to tens of thousands of government employees and other commuters every day who do not reside in Albany. We, alongside the Mayor, will continue to push for this funding to become permanent because it truly is our "fair share" that should not fall on the shoulders of our taxpayers.

II. American Rescue Plan Act (ARPA) Funds and Oversight thereof

The pandemic was devastating to our community and to municipal budgets. The Council commends President Biden and our partners in Congress on the vital ARPA funds and appreciates the process the Administration has undertaken in ensuring all of the many needs are met for Albany through the COVID Recovery Taskforce process. We note that \$5.3 million of ARPA was allocated by the administration in 2021 without any Council input. Another \$7.1 million in ARPA funds is being used to balance the 2022 budget, which has increased by \$8.1 million over 2020 without the administration being able to clearly articulate how it will balance the budget when ARPA funds are no longer available in 2025 to fill that gap. We note that for each \$600,000 increase in the budget that is not met with funds from other sources, represents a potential property tax levy increase of 1%. The \$7.1 million gap filled by the use of ARPA funds

in the operating budget, therefore, potentially represents a real property tax levy increase of 11% or more in 2025. This is an issue that both the administration and the Council need to be mindful of.

While we appreciate the administration setting up an application and evaluation process for the awarding of \$25 million in ARPA funds to non-profits and City of Albany Departments, we believe further Council oversight is warranted. As a result, the Council has amended the budget ordinance to establish oversight of all remaining ARPA funds by having Council participation in the evaluation of grant applications and approval of the expenditure plan of the \$25 million as well as approval of the disbursement of the remaining funds through the budget process or a disbursement plan with specific appropriations for identified projects, purchases, purposes, and grantees. Further, the budget ordinance is amended to include that any additional ARPA funds must be part of the budget process, or have a separate plan that is subject to Council approval before funds are spent.

Council would like to note several items that have continually come up in discussion as important to fund through ARPA funds:

1. ***Community Centers***: Community Centers become hubs of their neighborhoods and can be part of further building strong, safe, and inclusive communities. They are a space for residents to come together, for after school programming and so much more. There has been a strong desire to see more Community Centers throughout the City, but the Council strongly supports the creation of a South End Community Center and the further support of the new West Hill Community Center.
2. ***High Speed Broadband***: The pandemic highlighted the importance of this issue and the inequities that exist in connectivity. While there is a City of Albany Commission to work on this topic, there needs to be stronger and bolder work in this area that strongly fits into the ARPA funding mission.
3. ***Equitable Sustainability***: Environmental Sustainability is an absolute necessity for every community. More on budget related sustainability issues will be commented on below, but sustainability should be a priority, along with making sure sustainability is viewed through an equity lens. Prioritizing education and making sure sustainable measures accomplish their goals in every neighborhood is essential.
4. ***Parks***: The focus in the past several years on parks is commendable. However, as we continue updating and re-visioning our parks, it's vital to ensure these improvements happen. ARPA funds can be used for park infrastructure. It should be considered to move park improvements from bonding to ARPA funds and also consider continuing to invest in our parks, which are essential green spaces for all of Albany.
5. ***Address disparities in homeownership in Albany***: The Council appreciates the inclusion of housing in the largest tranche of the ARPA grants funding, however notes the importance of addressing the disparities in homeownership in Albany and encourages this to be addressed in funding cycles by committing that 1/3 (\$2.65 million) of this funding be dedicated to this specific, vital topic.
6. ***Senior Services***: As noted below in subsection XIV, senior services is very important to Albany residents and we encourage support for these services to be addressed in ARPA funding. Transportation is a continual issue for seniors and the purchase of a

van or other support for transportation could allow many seniors to get to these important services.

III. Speed Hump Pilot Expansion

The Council strongly supports the speed hump pilot program included in the 2022 Budget and encourages an expansion of the pilot program for additional locations City-wide. Speeding and its impact on residential neighborhoods is an issue throughout the City and many neighborhoods could benefit from this program. The Council encourages the administration to add an additional \$200,000 to expand this program to add sites in 2022. The Council also notes that speed humps are not part of the 5 Year Capital Plan, and that the pilot program is expected to be a portion of the \$8 million that is in the budget for street improvements. We encourage the Mayor to amend her budget message to reflect that the speed hump pilot program is not separate and distinct from the \$8 million in sidewalk and street repair as is currently presented, but rather part of it.

IV. Sustainability

The Council appreciates the environmental sustainability additions to this budget, including the addition of the new position of Director of Sustainability. However, the Council supports members of the public who spoke at our hearings in support of increased funding for the City’s composting program, which is detailed below. Members also encourage additional education for community members to fully understand the ease and importance of composting. The majority of Council Members also supports their recommendation to put funding into the Bike and Pedestrian Master Plan so that the City can begin to realize the benefits of the significant commitment made to the walkability and bike-ability set forth in the Master Plan. It is noted that some members encouraged the importance of ensuring that the Bike and Pedestrian Master Plan actually furthers the needs of the communities it is in.

The Council is amending the budget to include the following items:

ITEM	COST	TOTAL
Payment for compost processing at 4 community compost sites (Professional Services)	\$6000 each x 4	\$24,000
Payment for individual to coordinate organics diversion at 10-12 city events as an initial year pilot	\$10,000	\$10,000
Funds for materials and equipment for community compost sites (old and new as needed) – wood, wheelbarrows, shovels, pitchforks, thermometers, fencing	\$1800	\$1800
Soil and row covers for community gardens at new Sligo St. community compost site off Delaware Ave	\$1000	\$1000
Funding for composting bins, straw and supplies at food pantries	\$55 x 40 bins	\$2200

Vermicomposting and Bokashi bin supplies for outreach & education	\$225 \$100	+	\$325
GRAND TOTAL			\$39,325

V. Support for Community Centers

Community centers are important hubs within neighborhoods and the Council fully supports establishing new community centers throughout Albany. As part of the 2021 Enacted Budget, funding was included for engineering and design for a new West Hill Community Center. Council remains in strong support of this project and notes the lack of additional funds within this budget and that the West Hill Community Center is not in the 5 Year Capital Plan. While we understand there is work underway in this, the Council urges the Administration to make sure to include this important item in future budgets and in the Capital Plan.

In 2020, the Council passed Resolution 84.92.20R in support of a community center in the South End and noted in the 2021 Budget Intent Resolution:

“While we applaud the budget allocations for a new and much needed community center in West Hill, we note that there are needs for the supports that a community center provides throughout Albany, including the South End. We hope the Mayor will look to build an additional community center in the South End.”

There is a need for community centers throughout Albany, but the Council joins with our colleagues that represent the South End on the importance of having a community center there. As noted in subsection II, the Council recommends the use of ARPA funds to fully realize the goal of the creation of this space. However, to truly begin an appropriate process of establishing a South End Community Center, including consultation with community residents regarding the needs of the South End community and how a Community Center can serve them, the Council has added \$75,000 in its ordinance adopting the budget.

VI. Planning Department Position Shift

The Planning Department is one of our most utilized and necessary departments, with the smallest staff. The Council appreciates the hard work of the members of the Planning Department, in particular with the USDO review, and believes that there are several open positions that could be reconfigured into different positions that would allow for growth within the Department while encouraging Department expansion. The position of Commissioner has remained vacant, and the current staff has risen to the occasion, continuing to support projects and doing the in-depth work noted above. In addition, the position of Senior Project Manager remains open. The Council firmly believes that the best way to serve Albany is to have more planners and we encourage the administration to remove the Commissioner and Senior Project Manager positions and shift those to an additional Principal Planner and an additional Planner position. The Council believes that these changes will support internal promotion while allowing necessary expansion to the department. It is noted that the title of Commissioner is in Code and the USDO, the Council believes this role can be filled currently, as it has been for the long stretch of time the Planning Department has been without an official Commissioner.

The Council also notes that while it is not clear which department the accountability position for the Affordable Housing Requirements should be in, the Council requests that should these shifts happen that Planning be part of discussion of this important position and should it be appropriate, encourage one of the new positions to take on some of these duties.

VII. Tax Levy Remaining Flat

The Council commends the Mayor and Budget office for not raising property taxes as our community works to rebuild from the major and on-going impacts of the pandemic. While property taxes are an important source of revenue for Albany, because of the high percentage of properties in the City being tax exempt, there is an undue burden on our homeowners and businesses. The Council will continue to strongly advocate for a lower tax burden on our constituencies and appreciate the focus on recovery from the pandemic for our neighbors and businesses and again notes concerns over the budget gap that is currently covered by ARPA funds.

VIII. External Financial Audit

In the 2021 budget, the professional audit line was moved from the Auditor's office to the Treasurer's office. The Council approved this move as the funding supported an outside financial audit of the City's finances which is handled by the Treasurer's office. For 2022 the budget line was moved back to the Auditor's office in order to ensure transparency through this important process, including when selecting an outside professional auditor. The Council approves of this change and is pleased to hear of continued dedication to this important review of the City's finances. The Council continues to recommend that the budget line be explained that the funds are for the annual independent professional audit in the budget book, as the Treasurer's office also has this same budget line with insufficient funds for the full outside independent professional audit.

IX. Police Reform

Police reform is vital for our constituents and for the Albany Police Department (APD). The Police Reform Collaborative met through the end of 2020 and the beginning of 2021 and created a report with recommendations which was adopted by the Council as a blue print for reform. While we note the below items included in the budget, the Council highlights the importance and necessity of Police reform and urges a more aggressive approach. We look forward to pushing for more reforms in the upcoming year and beyond.

Police Reform Initiatives within the 2022 Budget:

- The addition of a part-time Public Safety Commissioner
- The addition of 2 non-sworn Victim's Advocate positions for APD
- The addition of a non-sworn Data Analyst position for APD
- AXON priority video services which code for the use of racial slurs and other key words

As part of the police reform changes, a part time position of Commissioner of Public Safety was created within the Mayor’s office. There are concerns that this position lacks the independence necessary to make the institutional change that is needed for true police reform. The Council considered legislation which would have established confirmation and oversight authority over this position, including defining the scope of operations pending further discussion of longer-term reforms, but declined to pursue that option and instead formally requests that this position be removed from the budget to allow for grass roots based police reform to drive the budget and future positions.

In addition, as noted below in Subsection XIII, there is no Violence Prevention Taskforce funding in the budget nor a placeholder for these funds, which Council continues to recommend.

X. Community Police Review Board

The Council has also amended the budget to increase the funding for the Community Police Review Board by \$314,000 to comply with Proposition 7 adopted by City residents in the November election which requires the Board to be allocated a minimum budget equal to one percent of the Police Department budget. Per the direction of the Budget Office, the Council has increased Sales Tax revenues to cover the cost of this increased expense.

XI. Summer Youth Employment Program

The pandemic had many negative impacts on the City’s budget in both 2020 and 2021, and one of those was a necessary cut to the Summer Youth Employment Program. The Council notes that this program is essential to many of our youth and look to have the program fully implemented if not expanded in 2022.

XII. Comparable Salary Analysis

After many years of expressing concerns that lower-salaried, non-union employees’ raises have not appeared consistent with their counterparts nor with adjustments that some City employees and department heads have received, the Council is pleased that the City is currently in the process of a large-scale salary analysis that will be completed in December. While the raises in this budget are appreciated, the Council fully supports any mid year budget impacts that this analysis may show are needed. The Council continues to emphasize that salary impacts employee morale and the ability of the City to retain front-line employees who provide vital services and have valuable institutional knowledge. The Council believes we need to create a culture in which all City employees feel valued for the work they do and the services they provide to our residents, businesses, and visitors.

XIII. Violence Prevention Task Force Funding

Sec. 183-2(B)(1) of the Equity Agenda states:

“Funding will be allocated annually to violence prevention programming and initiatives in Wards with the highest incidence and prevalence of violence. The funds will be

allocated based on prioritization through a community participatory budgeting process with involvement from the Violence Prevention Task Force. A separate budget line within the City of Albany's annual budget will be created and titled "Violence Prevention Task Force Funding."

The Council notes that for the second year in a row, the proposed budget fails to include a budget line as required by §182-2(B)(1) or to outline a community participatory budgeting process for these funds. While it is understood that the Violence Prevention Task Force is meeting, we note that the requirements of sec. 183-2(B)(1) are separate from the work of the Task Force. We strongly recommend the Mayor note this in her introductory letter and provide a discrete allocation of funding that will be directed or re-directed to this initiative as required by the Equity Agenda ordinance. Additionally, it's important that a community participatory process for the allocation of these funds be developed which is inclusive and transparent.

XIV. Affordable Housing Concerns: Housing Vacancy Study and Funding for a position to ensure the Affordable Housing Requirements of the USDO are enforced

The Council noted this study in both the 2020 and 2021 Budget Intent Resolutions. While the Council understands the difficulty that the pandemic caused in getting responses to an RFP for the Housing Vacancy Study, the importance of this study remains and we recommend the Mayor again move forward in conducting a housing vacancy study to determine the City of Albany's eligibility to opt into the Emergency Tenant Protection Act. The Council has amended the budget to include \$75,000 for this study to ensure funds are set aside to accomplish this purpose.

In addition, several community members came to speak to Council on the importance of having a position to ensure the Inclusionary Zoning Affordable Housing Requirements of the USDO are administered, complied with, and enforced. The Council agrees that it is not enough to have Affordable Housing Requirements but it is also important to encourage affordable housing and enforce these important requirements. Having a position that oversees this is an important next step in equity for Albany. While it is not clear exactly the department for this position to be whether in Planning, Codes, or in Housing, the Council encourages the Mayor to work with these departments to find the right place for this role and to either give these specific duties to a current staff member or to bring a new position specifically for this role.

Finally, the Council notes the importance of support of an allocation of funds in support of homeownership in historically dispossessed neighborhoods within the ARPA funds, as discussed in Common Council public comment and also in subsection II. We request that 1/3, or \$2.64 million of the \$8 million tranche dedicated to Housing/ Transportation/ Community Revitalization within the \$25 million for ARPA grants be explicitly dedicated to this important topic.

XV. Senior Services

The Council noted the need for increased senior services in the Budget Intent Resolutions for the 2019, 2020, and 2021 budgets. We are pleased to see the addition of a part time Senior Services Coordinator in the Department of Recreation. However, the Council continues to see this as an area of great need for our City and asks the Administration to continue to work to

expand offerings for our seniors by considering making this position full time. In addition, transportation is a major issue for seniors and the Council urges the Administration to consider purchasing a van to expand opportunities, possibly with ARPA funds.

XVI. Council Budgetary Authority and Charter Reform

The Council notes its continuing frustration over its limited ability to amend the Mayor's proposed budget and to exercise post-budget oversight and involvement in proposed amendments through the Board of Estimate and Apportionment process. The Common Council to be seated on January 1, 2022 needs to undertake a review of the Council's budgetary authority under the Charter with a view to developing and placing Charter amendments on the November 2022 general election ballot for voter consideration.

XVII. Inclusion of the Council's Budget Intent Resolution in the City of Albany 2022 Budget

The Council takes approval of the City of Albany's budget very seriously every year with many hours of meetings, questions, and discussions. After the approval of the budget, we share our thoughts on the budget through this document, which should be included in the final budget. We once again request that this document is included in any way that the budget is disseminated, including the final bound copy and online.

Conclusion

With the adoption of this resolution, we complete action on the fiscal year 2022 City of Albany budget.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the Mayor, Chief of Staff, Acting Budget Director and all other department heads; and

BE IT FINALLY RESOLVED that a copy of the "Statement of Common Council Actions, Findings and Intent" as herein adopted be printed in the final bound document constituting the "City of Albany 2022 Budget" immediately following the Mayor's transmittal message.

TO: Danielle Gillespie, City Clerk

FROM: Council Member Farrell, 13th Ward, Majority Leader
John-Raphael Pichardo, Esq., Research Counsel

RE: Supporting Memorandum

DATE: November 15, 2021

SPONSOR: Council Member Farrell on behalf of the Committee on Finance, Assessment,
and Taxation

RESOLUTION NUMBER 81.102.21R (*As Amended 11/15/21*)

TITLE

RESOLUTION OF THE COMMON COUNCIL OUTLINING ITS ACTIONS AND
EXPRESSING ITS FINDINGS AND INTENT CONCERNING THE CITY OF ALBANY 2022
BUDGET AS PROPOSED IN ORDINANCE 31.102.21

GENERAL PURPOSE OF LEGISLATION

To adopt an explanatory resolution to be read in conjunction with the actions of the Common Council concerning the budget.

FISCAL IMPACT

None.