

COMMON COUNCIL OF THE CITY OF ALBANY
SUPPORT LEGISLATION
DECEMBER 21, 2020

ORDINANCES

- 44.122.20** **AN ORDINANCE AUTHORIZING AND DIRECTING THE CLOSING OF SCOTT STREET IN THE CITY OF ALBANY, NEW YORK**
- 45.122.20** **AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE OF SCOTT STREET IN THE CITY OF ALBANY, NEW YORK TO SOUTH END DEVELOPMENT, LLC**
- 46.122.20** **AN ORDINANCE AMENDING CHAPTER 375 (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) OF THE CODE OF THE CITY OF ALBANY BY RENUMBERING SUCH CHAPTER**

RESOLUTIONS

- 121.122.20R** **A RESOLUTION AUTHORIZING THE APPROPRIATION OF \$5,300,000 FROM THE DEBT RESERVE FUND TO PAY FOR BONDED DEBT OBLIGATIONS**
- 122.122.20R** **RESOLUTION OF THE COMMON COUNCIL APPOINTING PAUL COLLINS-HACKETT AS A MEMBER OF THE COMMUNITY POLICE REVIEW BOARD (CPRB)**
- 123.122.20R** **RESOLUTION OF THE COMMON COUNCIL OF THE CITY ALBANY CALLING ON MAYOR SHEEHAN'S ADMINISTRATION TO CONDUCT A MUNICIPAL COMPENSATION AND CLASSIFICATION STUDY**
- 124.122.20R** **RESOLUTION OF THE COMMON COUNCIL APPOINTING CATHERINE FAHEY A MARRIAGE OFFICER PURSUANT TO ARTICLE 3 OF THE DOMESTIC RELATIONS LAW OF THE STATE OF NEW YORK**

Council Member Frederick introduced the following:

ORDINANCE 44.122.20

AN ORDINANCE AUTHORIZING AND DIRECTING THE CLOSING OF SCOTT STREET IN THE CITY OF ALBANY, NEW YORK

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. It is hereby ordered and directed that Scott Street, an approximately 245 linear foot road connecting Leonard Street and Krank Street, be discontinued and closed.

Section 2. It is hereby determined that the said right-of-way of Scott Street has been abandoned for municipal or public purposes.

Section 3. This ordinance shall take effect immediately after public hearing and final passage.

**APPROVED AS TO FORM THIS
9TH DAY OF DECEMBER, 2020**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: Sarah Valis, Esq., Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: December 9, 2020

SPONSOR Council Member Frederick

ORDINANCE 44.122.20

TITLE

AN ORDINANCE AUTHORIZING AND DIRECTING THE CLOSING OF SCOTT STREET
IN THE CITY OF ALBANY, NEW YORK

GENERAL PURPOSE OF LEGISLATION

This ordinance will close and discontinue Scott Street. If approved, Scott Street would be sold to South End Development for inclusion in the development of the Seventy-Six project

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

Closing and discontinuance of rights-of-way requires legislative action.

FISCAL IMPACT(S)

None

Council Member Frederick introduced the following:

ORDINANCE 45.122.20

AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE OF SCOTT STREET IN THE CITY OF ALBANY, NEW YORK TO SOUTH END DEVELOPMENT, LLC

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. It is hereby ordered and directed that all the right, title and interest in the City of Albany in and to Scott Street be conveyed pursuant to the provisions of Local Law No. 4 of 1984 to South End Development, LLC.

SUBJECT to all easements, restrictions and rights-of-way of record.

Section 2. It is hereby determined that the aforesaid property has been abandoned for municipal or public purposes

Section 3. The form, content, terms and conditions of such conveyance shall be approved by the Corporation Counsel and shall be subject to the approval of the Board of Estimate and Apportionment, and if approved by said Board, the Mayor is hereby authorized and directed to execute a proper deed of conveyance for a valuable consideration.

Section 4. This ordinance shall take effect immediately.

**APPROVED AS TO FORM THIS
9TH DAY OF DECEMBER, 2020**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: Sarah Valis, Esq., Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: December 9, 2020

SPONSOR Council Member Frederick

ORDINANCE 45.122.20

TITLE

AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE OF SCOTT STREET IN THE CITY OF ALBANY, NEW YORK TO SOUTH END DEVELOPMENT, LLC

GENERAL PURPOSE OF LEGISLATION

To sell Scott Street to South End Development, LLC for inclusion in the development of the Seventy-Six project.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

Sale of city owned property requires Council approval.

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION

Scott Street, an approximately 245 linear foot road connecting Leonard Street and Krank Street, has an appraised value of \$272,500. South End Development is proposing to offset the cost of the conveyance through infrastructure improvements.

FISCAL IMPACT(S)

See attached Decommissioning Report.

Council Member _____ introduced the following:

ORDINANCE 46.122.20

AN ORDINANCE AMENDING CHAPTER 375 (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) OF THE CODE OF THE CITY OF ALBANY BY RENUMBERING SUCH CHAPTER

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. Chapter 375 (Unified Sustainable Development Ordinance) of Part II (General Legislation) of the Code of the City of Albany is hereby amended, such that it is renumbered in accordance with the document attached hereto as Exhibit “A.”

Section 3. This ordinance shall take effect immediately.

**APPROVED AS TO FORM THIS
11TH DAY OF DECEMBER, 2020**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: Brett Williams, Esq., Sr. Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: December 11, 2020

SPONSOR Council Member _____

ORDINANCE 46.122.20

TITLE

AN ORDINANCE AMENDING CHAPTER 375 (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) OF THE CODE OF THE CITY OF ALBANY BY RENUMBERING SUCH CHAPTER

GENERAL PURPOSE OF LEGISLATION

The USDO has a number of inconsistencies in the way that the ordinance, as originally passed, is internally numbered. This legislation corrects, simplifies, and makes consistent, the numbering of the USDO's provisions. Tables within the USDO have also been simplified to make them more orderly, readable, and user friendly. The update also corrects certain copy editing issues from the original USDO.

The changes have already been approved by General Code, the City's code consolidation service; indeed, General Code drafted the document that makes the changes to the numbering by incorporation herewith as Exhibit "A." General Code has also provided a redlined version of the document showing exactly where changes were made, which is attached hereto as Exhibit "B."

Upon passage, the revised ordinance will be fully integrated into the existing City Code, available online.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

This legislation is necessary to give the USDO consistent numbering and to increase user friendliness in terms of layout and readability.

This ordinance makes no substantive or policy changes to the USDO.

FISCAL IMPACT(S)

None.

Council Member _____ introduced the following:

RESOLUTION NUMBER 121.122.20R

A RESOLUTION AUTHORIZING THE APPROPRIATION OF \$5,300,000 FROM THE DEBT RESERVE FUND TO PAY FOR BONDED DEBT OBLIGATIONS

WHEREAS, the City of Albany has created a reserve fund for payment of bonded indebtedness, or “debt reserve fund,” as it is authorized to do under section 6-h of the General Municipal Law; and

WHEREAS, per section 6-h of the General Municipal Law, “an expenditure from such a reserve fund may only be made by appropriation pursuant to a resolution of the governing board of the municipal corporation”; and

WHEREAS, the Common Council is, for purposes of section 6-h of the General Municipal Law, the governing of the municipal corporation; and

WHEREAS, the City must make a payment of \$5,300,000 toward its bonded debt obligations by the end of 2020; and

WHEREAS, the adopted 2020 budget budgeted \$1,800,000 for the debt reserve fund; and

WHEREAS, the Budget Office and the Treasurer’s Office now jointly request authorization to use an additional \$3,500,000 beyond the \$1,800,000 budgeted in order to meet the \$5,300,000 in bonded debt obligations due by the end of 2020;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany hereby approves the expenditure of \$5,300,000 from the City’s reserve fund for payment of bonded indebtedness to pay such bonded debt obligations; and

BE IT FURTHER RESOLVED, that the Common Council approves the use of \$3,500,000 beyond the \$1,800,000 budgeted for the debt reserve in the duly adopted 2020 budget in order to meet this \$5,300,000 bonded debt obligation.

To: Danielle Gillespie, City Clerk

From: Brett Williams, Esq., Senior Assistant Corporation Counsel

Re: Request for Common Council Legislation
Support Memorandum

Date: December 10, 2020

Sponsor: To be determined

Resolution Number 121.122.20R

TITLE

A RESOLUTION AUTHORIZING THE APPROPRIATION OF \$5,300,000 FROM THE DEBT RESERVE FUND TO PAY FOR BONDED DEBT OBLIGATIONS

GENERAL PURPOSE OF LEGISLATION

The Budget and Treasury offices must make a payment of \$5,300,000 toward the City’s overall bonded indebtedness of \$17,005,000 by December 31, 2020. The amount of this payment is \$3,500,000 in excess of the \$1,800,000 budgeted for the debt reserve fund in the 2020 budget.

This resolution authorizes both the use of \$3,500,000 from the debt reserve fund beyond the amount originally authorized by the 2020 budget, and the appropriation from the fund itself.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

GML § 6-h requires that any expenditure from a debt reserve fund must be authorized by “a resolution of the governing board of the municipal corporation.”

FISCAL IMPACT

The City needs to pay \$5,300,000 towards its overall bonded indebtedness of \$17,005,000. This is \$3,500,000 in excess of the \$1,800,000 budgeted for the debt reserve fund in the 2020 budget.

Council Member Kimbrough introduced the following:

RESOLUTION NUMBER 122.122.20R

RESOLUTION OF THE COMMON COUNCIL APPOINTING PAUL COLLINS-HACKETT AS A MEMBER OF THE COMMUNITY POLICE REVIEW BOARD (CPRB)

WHEREAS, the Common Council of the City of Albany, pursuant to Section 42-334 of Article XLIV of Chapter 42 of Part 1 of the Code of the City of Albany, appoints members to the City of Albany Community Police Review Board;

NOW, THEREFORE, BE IT RESOLVED, that Paul Collins-Hackett is hereby appointed as a member of the City of Albany Community Police Review Board for a term ending on October 23, 2023.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

To: Danielle Gillespie, City Clerk

From: John-Raphael Pichardo, Esq., Research Counsel

Re: Common Council Legislation
Supporting Memorandum

Date: December 11, 2020

SPONSOR Council Member Kimbrough

RESOLUTION NUMBER 122.122.20R

TITLE

RESOLUTION OF THE COMMON COUNCIL APPOINTING PAULS COLLINS-HACKETT AS A MEMBER OF THE COMMUNITY POLICE REVIEW BOARD (CPRB)

GENERAL PURPOSE OF LEGISLATION

This resolution appoints Paul Collins-Hackett to a 3-year term. Commencing from December 21, 2020, until October 23, 2023.

FISCAL IMPACT(S)

None.

Council Member Anane introduced the following:

RESOLUTION NUMBER 123.122.20R

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY
CALLING ON MAYOR SHEEHAN'S ADMINISTRATION TO CONDUCT A
MUNICIPAL COMPENSATION AND CLASSIFICATION STUDY**

WHEREAS, employees are one of the City's most important assets, and hiring and retaining qualified staff is of the utmost importance to the City; and

WHEREAS, ensuring equity and inclusivity in the City's employment opportunities strengthens the City's ability to attract and retain talented employees and operate at its full potential; and

WHEREAS, the Council has repeatedly expressed concerns that lower-salaried, non-union employees' raises have not appeared to be consistent with their counterparts nor with the adjustments received by some city employees and department heads in previous years; and

WHEREAS, the Council has determined that it is in the best interests of the City to conduct a city-wide compensation and classification study; and

WHEREAS, the Council calls on Mayor Sheehan to retain a consultant or use appropriately-qualified City staff to conduct a detailed compensation and classification study of non-union City employees, which should include at a minimum:

1. a review and analysis of existing classifications within the City workforce;
2. an analysis of compensation and classification practices among comparable municipalities and other public and private employers to ensure that the City maintains a competitive position with respect to hiring and retention;
3. an analysis of compensation and classification practices within the City to ensure that compensation is commensurate with assigned duties and consistent among comparable positions;
4. an analysis of pay equity across genders and racial/ethnic groups;
5. an analysis of applicable laws regarding wages and benefits and recommended policies and practices to ensure ongoing compliance;
6. an analysis of recruitment and employment selection procedures;
7. an analysis of seniority practices, promotion procedures, and professional development programs to ensure that equal opportunity is being afforded to all qualified employees; and

8. an analysis of employee retention rates, costs associated with excessive turnover, and strategies to improve employee retention;

NOW, THEREFORE, BE IT RESOLVED, that the City of Albany Common Council calls upon Mayor Sheehan's Administration to conduct a compensation and classification study for non-union employees consistent with this Resolution.

To: Danielle Gillespie, City Clerk
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: December 11, 2020

SPONSOR Council Member Anane

RESOLUTION NUMBER 123.122.20R

TITLE

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY CALLING ON
MAYOR SHEEHAN'S ADMINISTRATION TO CONDUCT A MUNICIPAL
COMPENSATION AND CLASSIFICATION STUDY

GENERAL PURPOSE OF LEGISLATION

To have the administration conduct a compensation and classification study.

FISCAL IMPACT(S)

None identified.

Council Member Kimbrough introduced the following:

Resolution Number 124.122.20R

RESOLUTION OF THE COMMON COUNCIL APPOINTING CATHERINE FAHEY A MARRIAGE OFFICER PURSUANT TO ARTICLE 3 OF THE DOMESTIC RELATIONS LAW OF THE STATE OF NEW YORK

WHEREAS, Article 3 of the Domestic Relations Law authorizes the governing body of a City to appoint Marriage Officers, who shall have the authority to solemnize a marriage in accordance with other applicable provisions of law and within the municipal boundaries of the City;

NOW, THEREFORE, BE IT RESOLVED, that Catherine Fahey is hereby appointed a Marriage Officer in the City of Albany for a term of 60 days; to wit: December 21, 2020 through and including February 19, 2021.

BE IT FURTHER RESOLVED, that this resolution shall be effective immediately.

To: Danielle Gillespie, City Clerk
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Common Council Legislation
Supporting Memorandum
Date: December 11, 2020
SPONSOR Council Member Kimbrough

RESOLUTION NUMBER 124.122.20R

TITLE

RESOLUTION OF THE COMMON COUNCIL APPOINTING CATHERINE FAHEY A MARRIAGE OFFICER PURSUANT TO ARTICLE 3 OF THE DOMESTIC RELATIONS LAW OF THE STATE OF NEW YORK

GENERAL PURPOSE OF LEGISLATION

To appoint Catherine Fahey as a marriage officer to solemnize a marriage for a couple that just recently retained their marriage license but have not decided on a date yet. This resolution provides enough time for the married couple to decide on a date and allows the marriage officer enough time for the authority to solemnize the marriage.

FISCAL IMPACT(S)

None.