



MINUTES OF A REGULAR MEETING MONDAY, May 4, 2020

The Common Council was convened at 7:00 p.m. and was called to order by President Ellis. This meeting was held following Governor Cuomo's executive order 202.1 and Mayor Sheehan's emergency order 315-1b. It live streamed on Facebook <https://www.facebook.com/albany.commoncouncil/> using Zoom as the meeting platform.

The roll being called, the following answered to their names: Anane, Balarin, Conti, Doesschate, Fahey, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O'Brien, Robinson and President Ellis.

Also present was the following staff: Danielle Gillespie, John-Raphael Pichardo, Brett Williams, and Michele Andre.

President Pro Tem Kimbrough led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

- 1) Christopher Chin, 26 Marinello Terrace, New York (Street Cleaning)
- 2) Juliet Turner, 5 Tudor Road, Albany, New York (Support USDO Sec. 375 Amendments)
- 3) Vincent Rigosu, 13 Beach Ave, Albany, New York 12203 (Support USDO Sec. 375 Amendments)
- 4) Elizabeth Berberian, 25 Clarendon Road, Albany, NY (Support USDO Sec. 375 Amendment)
- 5) Nanci L. Cremen, 8 Clarendon Rd, Albany, NY (Support Councilman Hoey's USDO Sec. 375 Amendments)
- 6) Catina Mavodones, 59 Melrose Avenue, Albany, NY 12203 (Support USDO Sec. 375 Amendments)
- 7) Keith Reynolds, 4 Tudor Road, Albany, NY 12203 (Support USDO Sec. 375 Amendments)

There being no further speakers, the President declared the Public Comment Period closed.

Approval of Minutes

President Pro Tem Kimbrough made a motion to approve the minutes of April 20, 2020 meeting of the Council, which was duly seconded, and APPROVED by unanimous voice vote.

CONSIDERATION OF LOCAL LAWS:

Council Member Frederick noticed the introduction of Local Law F - 2020 as follows, which was held for further consideration:

LOCAL LAW F OF 2020

A LOCAL LAW AMENDING ARTICLE XVI (EXEMPTION FOR FIRST-TIME HOMEBUYERS) OF CHAPTER 333 (TAXATION) OF THE CODE OF THE CITY OF ALBANY

BE IT ENACTED by the Common Council of the City of Albany as follows:

Section 1. Article XVI of Chapter 333 of Part II of the Code of the City of Albany is hereby amended to read as follows:

§ 333-126 Maximum purchase price.

- A. Any newly constructed primary residential real property within a purchase price limit of [~~\$356,012~~] \$346,310 shall be eligible for the exemption allowed pursuant to this article.

§ 333-128 Maximum household income.

~~[A first-time homebuyer shall not qualify for the exemption authorized pursuant to this article if the household income exceeds \$77,000.]~~

- A. A first-time homebuyer shall not qualify for the exemption authorized pursuant to this section if the household income exceeds income limits defined by the State of New York mortgage agency low interest rate mortgage program in the non-target, one and two person household category for Albany County and in effect on the contract date for the purchase and sale of such property.

(i) The term “household income” as used herein shall mean the total combined income of all the owners, and of any owners’ spouses residing on the premises, for the income tax year preceding the date of making application for the exemption.

(ii) The term “income” as used herein shall mean the “adjusted gross income” for federal income tax purposes as reported on the applicant’s latest available federal or state income tax return subject to any subsequent amendments or revisions, reduced by distributions, to the extent included in federal adjusted gross income, received from an individual retirement account and an individual retirement

annuity; provided that if no such return was filed within the one year period preceding taxable status date, “income” shall mean the adjusted gross income that would have been so reported if such a return had been filed. For purposes of this subdivision, “latest available return” shall mean the federal or state income tax return for the year immediately preceding the date of making application, provided however, that if the tax return for such tax year has not been filed, then the income tax return for the tax year two years preceding the date of making application shall be considered the latest available.

§ 333-129. Sunset clause.

No exemption shall be allowed pursuant to this article for any newly constructed primary residential property purchased by a first-time homebuyer on or after [~~December 31, 2016~~] December 31, 2022, unless such purchase is pursuant to a binding written contract entered into prior to [~~December 31, 2016~~] December 31, 2022, provided, however, that any first-time homebuyer who is allowed an exemption pursuant to this article prior to such date shall continue to be allowed further exemptions pursuant to Section 333-125 of this article.

Section 2. This local law shall take effect upon final passage, public hearing and filing with the Secretary of State.

President Pro Tem Kimbrough referred Local Law F - 2020 to the Finance, Assessment and Taxation Committee for further consideration.

Council Member Conti noticed Local Law E- 2020 (**A LOCAL LAW AMENDING PART I (ADMINISTRATIVE LEGISLATION) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO ENACTING A NEW CHAPTER 35 TO BE ENTITLED: “APPOINTEES TO PUBLIC BODIES; REMOVAL FROM OFFICE**) which had been previously introduced, requested passage and a roll call vote thereon.

There being no discussion, President Ellis called for a roll call vote thereon and the Local Law was **ADOPTED**:

The Local Law passed by the following vote of all Council Members present voting in favor thereof:

Affirmative – Anane, Balarin, Conti, Doesschate, Fahey, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O’Brien, and Robinson

Affirmative 15 Negative 0 Abstain 0

President Pro Tem Kimbrough held the remaining Local Laws on the pending agenda.

COMMUNICATIONS FROM THE MAYOR, DEPARTMENT HEADS AND OTHER CITY OFFICIALS

The veto for Ordinance 3.31.20 (MC) *As Amended* was received by the Common Council on April 20, 2020.

REPORTS OF STANDING COMMITTEES:

Finance, Assessment and Taxation: Council Member Farrell reported that the committee will meet on May 14, 2020 at 5:00PM to review Local Law F-2020, Ordinance 4.41.20, Ordinance 5.41.20, and Resolution 29.41.20R. The Committee will also have a discussion with Budget Director Mike Wheeler, Treasurer Darius Shaninfar, and Mayor's Chief of Staff David Galin on our financial issues.

Housing and Community Development: Council Member Doesschate reported the Committee will meet May 11, 2020 at 5:00PM to have a discussion with the Albany Community Development Agency (ADCA) Director Faye Andrews on CARES Act (Federal Coronavirus Aid, Relief and Economic Security Act) funding. The Committee will also get an update from Steven Longo, Executive Director for the Albany Housing Authority (AHA) regarding the impact of the COVID-19 Pandemic on the AHA and its residents.

Council Operations and Ethics: Council Member Conti reported that the committee met on April 27, 2020 at 5:30PM to review Local Law E - 2020. Local Law E – 2020 was moved out of committee with a positive recommendation.

CONSIDERATION OF ORDINANCES

President Pro Tem Kimbrough held the pending Ordinances on the agenda for further consideration.

CONSIDERATION OF RESOLUTIONS

Council Member Anane noticed Resolution 37.51.20R as follows, asked passage and a roll call vote thereon:

Resolution Number 37.51.20R

RESOLUTION OF THE COMMON COUNCIL PROCLAIMING MAY 2020 AS BIKE MONTH IN THE CITY OF ALBANY

WHEREAS, the number of people who rely on bicycling for commuting to work or for recreational activities has increased over the past decade; and

WHEREAS, the growing bicycle-friendly road network throughout the City supports a safe and healthy transportation option that is paramount to achieving sustainability and enhancing the quality of life in the City; and

WHEREAS, the City of Albany in partnership with League of American Bicyclists, the New York Bicycling Coalition, CDTC's Capital Coexist, the Albany Police Department, and the Albany Bicycling Coalition, have continued to look for opportunities to improve bicycling within the City; and

WHEREAS, community organizations such as Capital Roots, among others, have made contributions to these efforts by donating and installing bike racks across the City to encourage larger participation in cycling as a means of transportation; and

WHEREAS, these organizations in cooperation with the City have promoted greater public awareness of bicycle operation and safety education in an effort to reduce crashes, injuries and fatalities for all;

NOW, THEREFORE, BE IT RESOLVED, that the City of Albany Common Council hereby proclaims May 2020 as Bike Month in the City of Albany, and urges all motorists and bicyclists to follow New York State's Vehicle and Traffic Law, and share the road respectfully and responsibly.

* Council Member Anane spoke on the Resolution prior to passage.

** Resolution 37.51.20 was co-sponsored by Council Members Anane, Balarin, Conti, Doesschate, Fahey, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O'Brien, and Robinson*

There being no further discussion, President Ellis called for a roll call vote thereon and the Resolution was **ADOPTED**:

The Resolution passed by the following voice vote of all Council Members present voting in favor thereof:

Affirmative – Anane, Balarin, Conti, Doesschate, Fahey, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O'Brien, and Robinson

Affirmative 15 Negative 0 Abstain 0

Council Member Anane noticed Resolution 38.51.20R as follows, asked passage and a roll call vote thereon:

RESOLUTION NUMBER 38.51.20R

A RESOLUTION FOR COVID-19 RENTAL ASSISTANCE

WHEREAS, the COVID-19 pandemic has had a devastating economic impact on our communities and city that could not have been anticipated or prepared for in advance; and

WHEREAS, unprecedented numbers of people have suddenly and unexpectedly lost their jobs and been forced to file for unemployment benefits, and the people most impacted are low and moderate-income renters; and

WHEREAS, although certain legal measures have been taken to ensure that renters cannot be evicted for non-payment of rent during this state of emergency, there is as of yet no guarantee that renters behind on their rent will not be evicted and made homeless after the state of emergency ends; and

WHEREAS, Congressman Paul Tonko's office was advised by the U.S. Department of Housing and Urban Development that Albany will be receiving \$1,011,583 in Emergency Solutions Grant recovery funds as per the Coronavirus Aid, Relief, and Economic Security (CARES) Act, which is to be used to alleviate and mitigate against homelessness; and

WHEREAS, the City of Albany has the active and excellent Albany Community Development Agency, which already works tirelessly to provide adequate housing to members of our community, but their abilities to do so are constrained by their lack of funds;

NOW THEREFORE BE IT RESOLVED, that the City of Albany Common Council recommends that a portion of these federal aid monies be used as direct rental assistance to residents of Albany who have been adversely affected by COVID-19 and are thereby unable to pay their rent; and

BE IT FURTHER RESOLVED, that these monies shall be dispersed and administered by the Albany Community Development Agency or another qualified local organization and consistent with regulations as established by the United States Department of Housing and Urban Development.

* Council Member Conti and Balarin spoke on the Resolution prior to passage.

Resolution 38.51.20 was co-sponsored by Council Members Anane, Balarin, Conti, Doeschate, Fahey, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O'Brien, and Robinson

There being no further discussion, President Ellis called for a roll call vote thereon and the Resolution was **ADOPTED**:

The Resolution passed by the following voice vote of all Council Members present voting in favor thereof:

Affirmative – Anane, Balarin, Conti, Doeschate, Fahey, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O'Brien, and Robinson

Affirmative 15 Negative 0 Abstain 0

Council Member Kimbrough noticed Resolution 39.51.20R as follows, asked passage and a roll call vote thereon:

RESOLUTION NUMBER 39.51.20R

RESOLUTION OF THE COMMON COUNCIL APPOINTING JELANI MCGRUFF 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 Jelani McGriff is hereby appointed a Marriage Officer in the City of Albany for a term effective from the passage of this resolution of the Common Council until Executive Order 202 of the Governor of New York, issued on March 7, 2020, is rescinded or until August 31, 2020, whichever is earlier; and

BE IT FURTHER RESOLVED, that such marriage officer will not receive a salary or wage for his services. However, for each marriage at which he officiates, the City of Albany shall be paid, by or on behalf of the persons married, a marriage solemnization fee of \$25; and

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

There being no discussion, President Ellis called for a voice vote thereon and the Resolution was ADOPTED unanimously.

Council Member Kimbrough noticed Resolution 40.51.20R as follows, asked passage and a roll call vote thereon:

RESOLUTION NUMBER 40.51.20R

RESOLUTION OF THE COMMON COUNCIL APPOINTING DANIELLE GILLESPIE 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 Danielle Gillespie is hereby appointed a Marriage Officer in the City of Albany for a term effective from the passage of this resolution of the Common Council until Executive Order 202 of the Governor of New York, issued on March 7, 2020, is rescinded or until August 31, 2020, whichever is earlier; and

BE IT FURTHER RESOLVED, that such marriage officer will not receive a salary or wage for her services. However, for each marriage at which she officiates, the City of Albany shall be paid, by or on behalf of the persons married, a marriage solemnization fee of \$25; and

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

There being no discussion, President Ellis called for a voice vote thereon and the Resolution was **ADOPTED** unanimously.

Council Member Kimbrough noticed Resolution 41.51.20R as follows, asked passage and a roll call vote thereon:

RESOLUTION NUMBER 41.51.20R

RESOLUTION OF THE COMMON COUNCIL APPOINTING CASHAWNA PARKER 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 Cashawna Parker is hereby appointed a Marriage Officer in the City of Albany for a term effective from the passage of this resolution of the Common Council until Executive Order 202 of the Governor of New York, issued on March 7, 2020, is rescinded or until August 31, 2020, whichever is earlier; and

BE IT FURTHER RESOLVED, that such marriage officer will not receive a salary or wage for her services. However, for each marriage at which she officiates, the City of Albany shall be paid, by or on behalf of the persons married, a marriage solemnization fee of \$25; and

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

There being no discussion, President Ellis called for a voice vote thereon and the Resolution was **ADOPTED** unanimously.

President Pro Tem Kimbrough made a motion, which was duly seconded, requesting Majority Consent to add Resolution 42.51.20R (MC) and 43.51.20R (MC) to the agenda. There being no further discussion, the motion was adopted by voice vote.

Council Member Doesschate noticed Resolution 42.51.20R as follows, asked passage and a roll call vote thereon:

Resolution Number 42.51.20R (MC)

A RESOLUTION OF THE COMMON COUNCIL IMPLORING FEDERAL, STATE AND LOCAL ELECTED OFFICIALS AND GOVERNMENT AGENCIES TO TAKE IMMEDIATE ACTION TO ENSURE THE SAFETY AND SECURITY OF THE NATION'S FOOD SUPPLY, THE EQUITABLE DISTRIBUTION OF FOOD RESOURCES, AND THE HEALTH AND SAFETY OF ALL FOOD WORKERS THROUGHOUT THE FOOD SUPPLY CHAIN

WHEREAS, heads of the World Health Organization (WHO), the UN's Food and Agriculture Organization (FAO), and the World Trade Organization (WTO) have warned of the risk of a worldwide food shortage if countries fail to manage the coronavirus properly, and the head of the UN food agency has warned the world is "on the brink of a hunger pandemic" that could lead to "multiple famines of biblical proportions" within a few months if immediate action is not taken; and

WHEREAS, the COVID-19 pandemic and the sudden unemployment of millions of people has led to a dramatic increase in food insecurity throughout the United States and the world; and

WHEREAS, it is clear food supply chains have already been disrupted as evidenced by farmers dumping milk, fruits and vegetables being left to rot in the fields, feed lots being filled with animals while commercial freezers are full, farmers euthanizing pigs, meat processing plants closing, store shelves being empty of many essential food products, and residents enduring long lines to enter grocery stores in many places; and

WHEREAS, lines for food pantries are miles long in many places across the country, including in the capital region; and

WHEREAS, food scarcity can result in substantial increases in food prices, making food unaffordable for people on fixed and limited incomes and lead to the inequitable distribution of food; and

WHEREAS, thousands of food workers throughout the country have been diagnosed with COVID-19 or have been furloughed, and are afraid to return to work because they and their colleagues are not being tested regularly, they cannot socially distance themselves while working, they have not been provided with masks and other personal protective equipment; and

WHEREAS, dozens of food processing plants have had to close because so many workers came down with COVID-19 and workers rightfully fear the unsafe working conditions; and

WHEREAS, workers throughout the food chain, from the farms to the grocery stores, do not have the luxury of protecting themselves by staying home, but are providing essential services to help United States residents and people around the world have access to vitally needed food and nutrition; and

WHEREAS, migrant workers are often housed in conditions that do not allow them to follow social distancing recommendations that can lead to significant outbreaks of COVID-19, thereby putting entire communities at risk (as evidenced by the recent outbreaks amongst migrant workers in Singapore that increased Singapore's COVID-19 cases eight-fold in just three weeks);

WHEREAS; we recognize access to food and working conditions that do not jeopardize a person's health, safety, or life as basic human rights; and

WHEREAS, the solutions to these issues require a comprehensive, coordinated national approach that requires the intervention of the federal government, and the assistance of state and local government officials;

NOW, THEREFORE, BE IT RESOLVED, the Common Council implores President Trump, Members of the United States Congress, Governor Cuomo, Members of the New York State Legislature, County Executive McCoy, Members of the Albany County Legislature, Mayor Sheehan, and all federal, state, county, and municipal agencies to work together collectively to take IMMEDIATE action to:

1. Ensure the entire food supply chain remains intact and functions effectively and efficiently in growing, raising, harvesting, producing, processing, packaging, transporting, distributing, utilizing, and delivering adequate amounts of food of all varieties to all individuals in all communities in a fair, equitable, and affordable manner;
2. Ensure that foods grown, raised, and produced, are put to good use and not wasted due to disruptions in the food supply chain; including taking all actions necessary to facilitate the harvesting, packaging, storage, and delivery of potentially wasted or unused vegetable, meat, milk and other food products to food banks and other community food programs;
3. Ensure that all available food that is necessary for a healthy diet is distributed in a fair and equitable manner regardless of a person's income, wealth, or access to transportation;

4. Increase funding to support food banks and public service food programs across the country to ensure adequate supplies, the efficient use of donated foods, and infrastructure needed to deliver food to those most at risk and most in need;
5. Ensure that adequate funding is provided to the Supplemental Nutrition Assistance Program (SNAP) to continue uninterrupted eligibility for this program to all needy individuals throughout the COVID-19 pandemic and its continuing impact on the economy and the availability of jobs;
6. Ensure that all workers in the entire food supply chain, including migrant workers, are protected from unnecessary risks or from being forced to work in hazardous conditions by enacting laws to ensure they are provided with safe working conditions, adequate personal protective equipment, comprehensive health insurance, routine free testing, paid sick leave, extra hazard pay and that their workplace conditions and the processing and handling of food is done in a manner that is consistent with the recommendations of the Centers for Disease Control and Prevention (CDC); and
7. Ensure federal agencies work with countries throughout the world to avert a hunger pandemic by ending trade disruptions that are contributing to food scarcity in the United States and around the world while food that could be used to feed millions rots in fields, in storage, or in transit.

BE IT FURTHER RESOLVED, that the Common Council authorizes and directs that a signed copy of this resolution be delivered to President Donald J. Trump, Speaker of the House Nancy Pelosi, Senate Majority Leader Mitch McConnell, Senate Minority Leader Chuck Schumer, Senator Kirsten Gillibrand, Congressman Paul Tonko, Governor Andrew Cuomo, New York State Senate Majority Leader Andrea Stewart-Cousins, New York State Senate Minority Leader John Flanagan, New York State Assembly Speaker Carl Heastie, New York Assembly Minority Leader Will Barclay, Senator Neil Breslin, Assemblymember Patricia Fahy, Assemblymember John McDonald, Albany County Executive Daniel McCoy, Albany County Legislature Chairman Andrew Joyce, and Mayor Kathy Sheehan.

* Council Members Doesschate spoke on the Resolution prior to passage.

Resolution 42.51.20 (MC) was co-sponsored by Council Members Anane, Balarin, Conti, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O'Brien, and Robinson

There being no further discussion, President Ellis called for a voice vote thereon and the Resolution was ADOPTED unanimously.

Council Member Balarin noticed Resolution 43.51.20R (MC) as follows, asked passage and a roll call vote thereon:

Resolution Number 43.51.20R (MC)

A RESOLUTION OF THE COMMON COUNCIL IMPLORING FEDERAL ELECTED OFFICIALS TO TAKE IMMEDIATE ACTION ON THE PROPOSAL FOR PANDEMIC PREMIUM PAY TO REWARD, RETAIN & RECRUIT ESSENTIAL WORKERS (HEROES FUND) AS PART OF THE NEXT CAREES ACT FUNDING BILL

WHEREAS, Essential frontline workers are the true heroes of America's COVID-19 pandemic response. The Albany Common Council believe in providing premium pay to frontline workers during this pandemic to reward essential frontline workers, ensure the retention of essential workers who are working grueling hours on the frontlines of this crisis, and promote the recruitment of additional workers who will be needed in the months ahead.

WHEREAS, As the Congress looks at a potential fourth COVID-19 bill, the following proposal is meant for consideration by Members of Congress, key stakeholders, and the American people. The proposal consists of two major components:

1. A \$25,000 pandemic premium pay increase for essential frontline workers, equivalent to a raise of an additional \$13 per hour from the start of the public health emergency until December 31, 2020.

2. A \$15,000 recruitment incentive for health and home care workers and first responders to attract and secure the workforce needed to fight the public health crisis.

WHEREAS, To meet the goals of reward, retention, and recruitment, the proposal has a set dollar amount per hour with a maximum amount for the year, for a definite duration, and with an additional bonus for workers who sign up to do such essential work during this crisis.

Amount of Pay Premium.

- 1- Uses a flat-dollar amount per hour premium model in order to ensure it is clear, simple, and lifts up particularly those workers making lower wages.
- 2- Would give each essential frontline worker \$13/hour premium pay on top of regular wages for all hours worked in essential industries through the end of 2020.
- 3- Would cap the total maximum premium pay at \$25,000 for each essential frontline worker earning less than \$200,000 per year and \$5,000 for each essential worker earning \$200,000 or more per year.

Duration of Premium. The premium pay period.

- 1- Must be for a specified and clear duration of time to ensure workers can rely on it for their economic security and plan for needs like additional child care.
- 2- Should cover all hours worked by each essential frontline worker through December 31, 2020, or until the worker's salary-based maximum premium pay is reached.

Premium Pay as a Recruitment and Retention Incentive.

In order to recruit the additional health care workers, home care workers, and first responders needed over the coming months, the proposal:

- 1- Would provide a one-time \$15,000 premium for signing on to do essential work.
- 2- Would limit eligibility for this incentive premium to essential health and home care workers and first responders that are experiencing severe staffing shortages impeding the ability to provide care during the COVID-19 pandemic

WHEREAS, The proposal would be fully federally-funded the premium pay and recruitment and retention incentive. Congress should continue to seek input on the specific mechanism for delivering the pay to workers, as well as the universe of “essential workers” to be covered. The new federal fund would partner with entities designated as an “eligible employer” – states, localities, tribes, and certain private sector employers – to issue the funds premium payments to eligible workers. Frontline federal employees would also be granted the new benefit of up to \$25,000.

COVID-19 Heroes Fund. The new COVID-19 Heroes Fund would provide funds directly to eligible employer-partners so that they could distribute the premium payments.

- 1- Employers in industries engaged in “essential work” would apply to the Heroes Fund for funds to be used to add line-item premium pay to employees’ or independent contractors’ paychecks. The eligible employer would track these payments, provide payroll records demonstrating premium payments, and return any unspent funds to the agency.
- 2- No employer would be required to participate, but all would be strongly encouraged to and the program would be widely advertised.
- 3- An entity that contracts directly with the state, locality, Tribe, or the federal government (e.g., to provide care to people with Medicare and Medicaid coverage) would be considered a private sector employer, and employees of this entity who are designated as “essential” would be eligible for premium pay. Similarly, an eligible employer is also an individual who hires someone designated as “essential” through programs established through the State (e.g., self-directed care arrangements). This would help ensure coverage of the 2.2 million home health aides, direct service providers, and personal care workers who provide services to more than 12 million Americans.
- 4- Eligible employers would submit applications for the recruitment and retention incentive premium on a rolling basis.

WHEREAS, Federal Workforce. Our proposal would ensure all federal government essential frontline employees receive the same \$25,000 premium pay benefit provided to other essential workers.

- 1- Coverage should be expansive to capture all federal employees with public-facing positions. This includes Title 5 employees and employees of all other federal

personnel systems (e.g., employees of the Postal Service, TSA, VA, FAA, District of Columbia, and federally-funded Indian programs³).

- 2- The benefit would be limited to frontline and public-facing positions – employees who are not teleworking from their homes.

WHEREAS, Workers who have been on the frontlines since the initial declaration of the Public Health Emergency on January 27, 2020, could receive a lump sum of backpay of \$13 per hour for work before enactment. These workers would continue to receive the \$13 per hour premium pay on top of regular wages moving forward, but these workers would still be subject to the maximum premium pay cap outlined above.

WHEREAS, Death Benefits. It is a deeply disturbing but unfortunate reality that some of our frontline workers are making the ultimate sacrifice to the nation through their work fighting COVID-19. Their families rightfully deserve to receive the full amount of the premium pay as a lump sum in addition to all other forms of death benefits.

NOW THEREFORE BE IT RESOLVED, That the Common Council go on record expressing our support for hazard pay for essential workers.

RESOLVED, That the Common Council go on record calling for President Trump, and Members of the United States Congress, to work together collectively to take action on the Heroes Fund proposal. As mentioned above, the definition of essential frontline workers for purposes of both the premium pay increase and the recruitment-retention incentive will be the subject of debate. The proposal is not meant to exclude any worker from this conversation. Rather, the hope is that this proposal will encourage a discussion about how large and diverse this universe of workers truly is. The goal is to make federal, state, tribal, local and private sector essential workers that are at risk eligible for this benefit.

RESOLVED, That the Common Council go on record urging our congressional delegation to support the Heroes Fund proposal.

RESOLVED, That the City Clerk hereby is requested to forward a suitably engrossed copy to President Donald J. Trump, Speaker of the House Nancy Pelosi, Senate Majority Leader Mitch McConnell, Senate Minority Leader Chuck Schumer, Senator Kirsten Gillibrand, Congressman Paul Tonko, and Governor Andrew Cuomo.

* Council Members Balarin and Anane spoke on the Resolution prior to passage.

Resolution 43.51.20 (MC) was co-sponsored by Council Members Anane, Balarin, Conti, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O'Brien, and Robinson

There being no further discussion, President Ellis called for a voice vote thereon and the Resolution was ADOPTED unanimously.

President Pro Tem Kimbrough held the pending Resolution on the agenda for further consideration.

COMMON COUNCIL COMMENTS

Council Member Anane (Sharing Frustration)
Council Member Hoey (Golf Course Revenue)
Council Member Farrell (Respond to Council Member Hoey's Comment)
Council Member Fahey (Respond to Council Member Hoey's Comment)
Council Member Balarin (Spectrum Charge & Letter to Council Regarding Essential Workers)
Council Member O'Brien (Response to Council Member Anane's Comment)
Council Member Conti (Golf Course Expense & Revenue)
Council Member Doesschate (Federal Aid)
Council Member Igoe (Dispatch Report & Dirt Bike Issue)
Council Member Johnson (Ward Issues & City Employees)
Council Member Kimbrough (Financial Report)
Council Member Robinson (Streetlight Purchase Savings & City Employee Job Loss)
Council Member Farrell (Respond to Council Member Robinson's Comments)
Council Member Doesschate (Energy Cost & StreetLight Saving)
Council Member Conti (Upcoming Finance Committee Meeting & Expenditures)

ADJOURNMENT

There being no further business, President Pro Tem Kimbrough made a motion to adjourn, which was duly seconded and adopted by unanimous voice vote. President Ellis declared the meeting adjourned at approximately 8:31 pm.

MICHELE ANDRE

Senior Legislative Aide to the Council