

Action Plan for the 2006-2007 Fiscal Year

MISSION STATEMENT

“To improve the quality of life within the City of Buffalo for its taxpayers, businesses, residents and visitors, while transforming and rebuilding the City into a vibrant and growing home-ownership, business, education and entertainment hub within Erie County and the Western New York Region.”

Members of the Common Council

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Introduction
By
David A. Franczyk
Council President

More than one-hundred years ago, architect George Cary was commissioned to prepare an action plan for the Buffalo Waterfront. Under the auspicious title, “The Groupings of Public Buildings and Gardens with Adjoining Water Front, Excursion Docks and Union Station for the City of Buffalo,” the 1905 Cary plan is replete with illustrative photographs and drawings, presenting a grand vision of parks, promenades, docks, railroad station, and other amenities, all in harmony with the “City Beautiful Movement,” then in vogue throughout the United States.

“We had, and lost, an opportunity of redeeming our waterfront at the time of the Pan American (Exposition),” Cary wrote. “Now we have another chance,” he continued. “Should the city avail itself of this it would render Buffalo, through its added beauty, dignity, and power, in very truth, the ‘Queen City of the Lakes,’ . . . such a waterfront would be an important factor in providing pleasurable recreation for its citizens,” Cary concluded.

Few honest observers would deny that the vast post-industrial wasteland that characterized the Buffalo waterfront since these words were written demonstrates that we lost the second chance to re-imagine the waterfront. Will we fail a third time, dashing hope for a revived waterfront to future generations of Buffalonians?

One of the Buffalo Common Council’s greatest challenges is to align itself with those progressive forces now engaged in creating a waterfront, perhaps for the first time in the city’s history, that opens up its full majesty and potential to all citizens. The newly created Common Council Waterfront Development Committee will be the vehicle through which Council Members will propose, analyze or advocate a myriad of waterfront development plans, including the creation of the Erie Canal project as a major national tourist destination, the development of the Outer Harbor, the removal of the Skyway Bridge, and many others. The Council also must ensure that the proposed Seneca Creek Casino near the waterfront will be an asset rather than a liability for the city.

And, in addition to recognizing the importance of the waterfront, this year’s Common Council’s Annual Action Plan, as always, looks positively at advocating for safer and cleaner streets, a downtown brimming with business, entertainment, a growing residential population, strong neighborhoods and an engaged citizenry working with the Common Council for the betterment of all.

The Common Council, as evidenced in this Third Annual Action Plan, looks to Buffalo’s future with confident resolve, reflecting the vision of each of the nine Council Members.

PUBLIC SAFETY INITIATIVES

• ZERO TOLERANCE POLICY

The Council has advocated for placing a greater emphasis on quality-of-life crimes such as drinking in public, excessive noise and graffiti. The Council has also led the charge to form a Cold Case Squad to address unsolved homicides and to enforce youth curfew laws.

The Council is encouraged by the initiative of Mayor Brown and Police Commissioner H. McCarthy Gipson as they address public safety and community concerns. The Council supports Mayor Brown's Zero-Tolerance policy that focuses on combating drug sales, solving homicides and addressing quality-of-life crimes. As with the previous administration the Council is calling for a monthly status report to be filed with the Council documenting quality of life enforcement efforts.

• SURVEILLANCE CAMERAS

The Council anticipates the placement of surveillance cameras in strategic public locations as a tool to deter crime and combat criminal activity. Many cities across the country are utilizing surveillance cameras and with much success. The Council has provided the Police Department with a list of potential camera locations; while the concept has progressed, unfortunately, cameras have not yet been installed.

The Council considers surveillance camera installation and use to be a high-priority item and is seeking both a commitment and timetable for surveillance camera operation.

• SHARED DRUG ASSET FORFEITURE FUND

The Police Department obtains significant dollars through the seizure of assets of convicted drug felons. These funds are primarily used to provide equipment and training for police officers. The Council recognizes that a portion of drug seizure funds need to be directed to community organizations in the form of grants for anti-crime, drug and alcohol abuse education and/or related activities involving City youth. . This initiative would be a useful tool for educating our youth about the dangers and pitfalls of a life of crime and/or substance abuse. Other cities have installed similar programs and have experienced noteworthy success in reducing youthful offender crimes.

The Council strongly supports and encourages the City administration to establish a Shared Drug Asset Forfeiture Fund and a program to reduce youthful offender crimes and substance abuse.

- **GRAFFITI**

Graffiti is a physical and visual assault that negatively impacts the quality of life throughout the City of Buffalo. Graffiti defaces and destroys the value of property, is costly to remedy, and if not removed quickly, can spread throughout and overtake an entire neighborhood. Police agencies must be constantly vigilant for offenders and the Courts must ensure that perpetrators receive the strictest punishment to include both community service and monetary restitution.

The Council supports and encourages Mayor Brown to take a proactive approach to graffiti removal and requests that as additional funds become available, that they be utilized to expand these efforts. This Council also encourages Police agencies and the Courts to deal with graffiti offenders in a fashion that sends a strong message that graffiti is not an artistic display, will not be tolerated, and is a crime that will incur harsh and expensive consequences.

HOUSING INITIATIVES

- **SIMPLIFY HOMEOWNERSHIP PROGRAMS**

Creating new homeownership within the City of Buffalo is critical to rebuilding Buffalo into a growing and vibrant community. The Council believes that homeownership programs must be simple for people to navigate and from which to obtain assistance.

The Council requests the administration to initiate a two-pronged approach; review current homeownership programs and eliminate bureaucratic hurdles and obstacles in an effort to simplify the process of accessing and obtaining homeownership assistance, and focus greater emphasis on marketing homeownership programs as many people are unaware of the assistance available to them to make homeownership a reality.

- **CITY WIDE HOUSING CODE ENFORCEMENT**

In the year 2000, Buffalo had 145,574 housing units, 58% of which were built prior to 1940. Quality housing is the core of every neighborhood and inspections play a critical role in preserving neighborhoods. The number one complaint, in terms of number of calls to the Citizen Services Complaint Line, is housing violations. The Council supports targeted inspections but recognizes the shortcomings of such an approach. The need for additional resources and a concentration of effort associated with an on-going Citywide housing code enforcement program can not be over-emphasized.

This Council considers a citywide housing code enforcement and inspection program to be a priority and expects all levels of City government to allocate resources and personnel to achieve this important objective.

- **CREATE HOMEOWNERSHIP AT THE MARINE DRIVE APARTMENTS AND GENERATE REVENUE FOR THE CITY**

To create a vibrant downtown core we must have a mix of homeowners and businesses that support each other. The Marine Drive apartments are located on prime waterfront land with a tax-exempt assessed value of \$11 million. Efforts to privatize the Marine Drive Apartments, which operates as subsidized public housing, must include assistance and protection for both current and new tenants. The opportunity for homeownership must also provide assistance to those who could not previously afford homeownership. Placing Marine Drive on the tax rolls could also generate in excess of \$1 million dollars per year in tax, water, refuse and sewer revenue for the City.

The Council supports the development of a plan that will create homeownership at the Marine Drive Apartments and generate new revenue for the City.

- **DEMOLITIONS**

Thousands of properties throughout the City are in need of immediate demolition. Abandoned and neglected properties are a magnet for crime and negatively affect the quality of life for everyone. The Council has made adjustments to the City Capital Budget to increase funding for demolitions and has also advocated for increased State and Federal aid to address the large number of vacant properties awaiting demolition.

The Council encourages the creation of a planned and systematic approach to demolitions which incorporates land banking for future development while addressing the maintenance issues associated with the creation of vacant lots resulting from the demolitions program.

- **ACQUISITION AND REHABILITATION OF VACANT PROPERTIES**

The City has thousands of vacant and abandoned properties. While many properties must be demolished for health and safety reasons, many can be rehabbed and turned into affordable homes. The City must develop programs and policies that assist individuals in purchasing and rehabilitating vacant properties. Better use of CDBG

Funds and partnerships with community organizations, banks and potential homeowners, are achievable solutions that will turn vacant eyesores into owner occupied homes. The Council believes that a focused effort on the part of the Administration will result in a positive impact for all.

The Council, in response to a request by City Court Judge Henry Nowak, supports establishing a Receivership Revolving Loan Fund that would facilitate repairs to properties with code violations to hopefully reduce the potential or eliminate the need for demolition. The Council similarly supports the City's efforts to improve its auction process to create opportunities for new homeowners and the efforts of the Anti-Flipping Task Force to address the problem of property flipping in Buffalo.

ECONOMIC DEVELOPMENT INITIATIVES

• DEVELOP SHOVEL READY SITES

Communities with land that is ready to develop clearly have a competitive advantage for attracting new development versus those that do not. Buffalo currently lacks shovel ready sites for businesses to immediately develop. Buffalo's recently approved Comprehensive Plan identified the need for a detailed analysis of Brownfield sites and their potential with specific recommendations for short, medium and long-term reinvestment options.

The Buffalo Economic Renaissance Corporation has set a target of bringing fifty (50) acres of cleaned-up Brownfield land onto the market each year. The Erie County Executive has called for the county to develop 500 acres of Brownfield land per year. A regional approach that combines resources and focuses efforts is needed to address this important issue.

This Council requests that Mayor Brown continue his efforts to improve the City's potential for attracting new business growth, by adhering to the recently approved Comprehensive Plan and by committing adequate resources to ensure the development and marketing of Brownfield land.

• INFRASTRUCTURE IMPROVEMENTS

Improving streets, sidewalks, water lines, sewer lines, planting trees, etc., creates opportunities for new development. The success of the Hertel Avenue Reconstruction Program is just one example of where infrastructure improvements spurred new economic development activity and related growth.

The Council encourages greater emphasis on targeted bricks and mortar improvements as an economic development tool to continuing and inspiring new growth and private sector community investment.

- **TRANSPORTATION CHANGES THAT WILL SPUR ECONOMIC DEVELOPMENT**

Several transportation decisions made in the past need to be corrected as part of Buffalo's economic development efforts:

- Peace Bridge Project Completion
- New York State Thruway Breckenridge & South Ogden Toll Booth Removal
- Skyway Removal to improve waterfront access and redevelopment
- Relocation of I-190 from along the Niagara River to a railroad right of way to recapture waterfront access for community use
- Downgrade Route-198 from an interstate highway to a parkway with reduced speed limits

- **JOB TRAINING**

Developing and maintaining a high quality workforce is critical to attracting and retaining businesses in Buffalo and Erie County. The Council looks forward to Mayor Brown's leadership as a new addition to the Buffalo & Erie County Workforce Investment Board of Directors.

An important part of job training efforts is the role of the Buffalo Municipal Housing Authority (BMHA). Section 3 of the Housing and Urban Development Act of 1968 requires the Housing Authority to help low-income residents gain the skills and job training needed to become self-sufficient. Section 3 also requires that qualified, low-income business owners be awarded work on HUD funded contracts. The Council is looking forward to the newly constituted BMHA Board of Directors placing a greater emphasis on complying with the requirements of Section 3.

- **ESTABLISH A GRANT COORDINATING COMMITTEE**

Grant funding is available for many of the programs and projects being pursued by the City. For years, grant writing has been scattered throughout the city and not coordinated in any centralized way. The pursuing of grant dollars to be effective must be focused, prioritized and coordinated.

The Council has supported Mayor Brown's vision of having a more coordinated grant process, by approving the creation of a Director of Urban Affairs to oversee and coordinate grant-writing efforts.

The Council recognizes that grant coordination is a large undertaking and that a concentrated effort by a steering Committee could bring together the parties needed to establish an organized and united grant writing effort. To be successful, the result must translate into a streamlined process that generates new and increased grants for the City of Buffalo.

IMPROVING CITY OPERATIONS

• CONSOLIDATION / MERGER OF SERVICES

Government must operate efficiently and reduce costs whenever and wherever possible. As the community debates the pros and cons of a city/county merger, there are many steps that the City can take on its own to improve the delivery of government services and reduce costs. While such savings may be considered small in terms of the overall expenses of the city, these small steps are a necessary start to a more efficient and cost effective city.

The City and its allied agencies such as Buffalo Municipal Housing Authority, Buffalo Sewer Authority, Buffalo Urban Renewal Agency, along with certain City Departments, etc., each have their own MIS, Purchasing and Human Resource functions to name just a few.

The Council considers the consolidation of duplicative and redundant operations to improve efficiency and reduce the cost of providing government services a must-do action of the highest priority. Efforts are currently underway to have Buffalo Civic Auto Ramps Inc, who operates the Downtown Parking Ramps under a contract with the City, utilize goods, materials, consumable supplies and services that can be procured more economically by the City. The Council has raised these same issues in its preliminary discussions with the new leadership at the Buffalo Municipal Housing Authority and looks forward to an expansion of this concept and the savings that would result.

• MONITOR ACTIONS OF CITY BOARDS, AGENCIES AND AUTHORITIES

The problems that have been reported at the Buffalo Municipal Housing Authority indicate the need for increased monitoring by the City. Many agencies conduct business outside of the City Charter and are commonly referred to as Shadow

government. These agencies include for example, the Buffalo Sewer Agency, Buffalo Urban Renewal Agency, Buffalo Economic Renaissance Corporation, and the Buffalo Water Board, and they all make important decisions without direct oversight by the City or the Common Council. While the City has solid policies, practices, procedures and regulatory requirements that comprise a strong system of internal controls, similar controls are either not in place or are not followed by these shadow government agencies.

The Council shares the concerns expressed by State Comptroller Alan Hevesi regarding the way authorities and shadow government agencies conduct business. While government may have had a better idea in creating these entities years ago, generally there has been a failure to install adequate oversight and control over these entities. In response, preliminarily, the Council has initiated action to require the above agencies and others to file with the Common Council Chief of Staff, a copy of all Board meeting notices, agendas and minutes so that the Council and others can be aware of actions taken by these entities. Much more needs to be done and the Council will be reviewing these matters more closely during its upcoming Budgetary review and adoption process.

ENVIRONMENTAL INITIATIVES

• TREE TRIMMING AND REMOVAL

Complaints regarding tree trimming and removal rank high on the list of calls from residents to the Mayor's Complaint Line. The Council has continually fought for more funding for tree trimming and removal. The lack of a dedicated funding and expenditure stream on the part of the City may be costing taxpayers more in the long run due to the increasing number of damage claims presented to and paid by the City.

This is a Council priority item and is being monitored by both the Council and the City Public Works Department. The Council, by resolution, will be requesting a monthly status/update report that will identify trees needing trimming, removal and/or replacement, and the monthly activity of additions, deletions (resolved), and/or the future action planned. The City also continues to monitor the City Parks Operating Agreement with the County to be sure that each party is discharging its contractually required obligations.

• DEVELOP A PLAN TO INCREASE RECYCLING

Recycling is important from an environmental perspective and from a financial perspective as well. Recycling reduces our reliance on the use of garbage landfills and

the cost thereof and generates new revenue for the City. Last year, under the terms of the recycling contract with BFI, the City received \$45,000 in recycling revenue.

Currently the City recycles only 6.6% of its garbage, well below the national average of 35% for municipal solid waste. Increased recycling by residents will result in greater financial benefit to the City and less of a reliance on ratepayer charges to fund operation and disposal costs. As part of their recycling contract, BFI pays the City \$75,000 for marketing and education efforts to encourage residents to recycle.

The Council supports and encourages the Administration to expand its marketing initiatives and education plans in an effort to increase recycling, the revenue realized therefrom and to decrease landfill costs borne by city residents.

- **HICKORY WOODS**

The environmental issues associated with Hickory Woods must be addressed and completed as soon as possible. The Council has authorized the expenditure of funds to assist residents wishing to remediate and/or relocate.

This Council continues to monitor this matter in an effort to reach a solution for the many residents who lives have been affected and the hardships that it has created as it has dragged on over the course of many years.

- **FLOOD INSURANCE**

Many residents in the City of Buffalo are required to pay for flood insurance at a cost of \$700 or more per year. The Council is exploring ways in which the added expense of flood insurance can be lessened.

This Council supports the "bulk purchasing" of insurance as a means to obtain a better price and greater City involvement in flood mitigation efforts which can result in a reduction of flood insurance claims and overall costs.

LEGISLATIVE INITIATIVES

- **UNDERTAKE A COMPREHENSIVE REVIEW OF ZONING AND LICENSING ORDINANCES**

While most deli stores operate appropriately, Council Members continue to receive a large number of complaints regarding the operation of deli stores. It appears that many

deli stores are not in compliance with city ordinances regarding signage and some stores receive a large number of police and neighbor complaints regarding activities in and around their store.

Additionally, City Code Section 122-3 requires all businesses not licensed by the City of Buffalo to provide information to the Commissioner of Permit & Inspections as to their business activity. Providing notice of the operators' name, business conducted along with contact information for the business owner would be of great benefit to City officials. Currently this Ordinance is not being enforced.

The Council is requesting that the Administration perform a comprehensive review of zoning and licensing requirements and the related enforcement of City ordinances.

• **ENACT SMART CODE ZONING**

As stated in the City's Comprehensive Plan adopted by the Council, development should follow a "Smart Growth Policy" that conserves resources and makes for a lively and vibrant city. The Plan calls for the City to adopt ten basic principles of smart growth:

- Mix land uses;
- Take advantage of compact building design;
- Create a range of housing opportunities and choices;
- Create walkable neighborhoods;
- Foster distinctive, attractive communities with a strong sense of place;
- Preserve open space, farmland, natural beauty and critical environmental areas;
- Strengthen and direct development towards existing communities;
- Provide a variety of transportation choices;
- Make development decisions predictable, fair and cost-effective;
- Encourage community and stakeholder collaboration in development decisions.

The Council supports the adoption of zoning regulations that encourage and mandate the application of Smart Growth principles and concepts.

• **LIVING WAGE ORDINANCE**

In 2003, the Council passed a new Living Wage Ordinance. The purpose of the ordinance is to assure that employees of city contractors earn a family-supporting wage, to promote self-sufficiency and reduce poverty. The Ordinance requires all City Contractors with service contracts of over \$50,000 and employing more than ten (10) employees, to pay their employees a living wage of \$9.03 with health insurance or \$10.15 without health insurance.

This Council supports greater emphasis and enforcement of this ordinance in conjunction with efforts by the new Mayoral Administration to develop its job creation and economic development programs strategies.

CULTURAL AND TOURISM INITIATIVES

• **DEVELOP CULTURAL TOURISM**

Buffalo has a tremendous historical story to tell. Our architecture, proximity to the Erie Canal, and our roots in African American history, present us with significant cultural assets to market. Cultural tourism is a growing industry that we need to grow and actively participate in. Michigan Avenue has many sites of historic importance that have and will continue to attract visitors to Buffalo. Our world-renowned architecture and planned development of our waterfront with a museum dedicated to our Erie Canal history can serve as key cultural and tourist attractions.

The Council encourages Mayor Brown to focus on the development and marketing of our many cultural assets such as Michigan Avenue, our waterfront and architecture as an economic development tool.

The Council is requesting that the Administration perform a comprehensive review of zoning and licensing requirements given the impact of these regulations on City redevelopment efforts.

• **CASINO FUNDING STRUCTURE**

As the Seneca Nation has begun work associated with opening a new casino in downtown Buffalo, we have an excellent opportunity to examine recent casino development in Niagara Falls, NY and to learn from their experience. The need, value and usefulness of the project have been much debated, and will no doubt continue to be debated for years to come. While the facility needs to be completed, so does the process by which the local share of casino dollars will be distributed.

The Council supports legislation being sought by Mayor Brown to designate Buffalo as the host community and to receive 100% of the local share of casino revenue estimated to be between \$5 million and \$7 million annually and preparation of an agreement that will present in detail, how such funds will be reinvested in the community.

**A copy of this Action Plan can be found at the City of Buffalo Homepage
www.city-buffalo.com**