

**The Common Council - City of Buffalo, New York
2008 - 2009 Annual Action Plan**

**Preserving Our Past;
Planning Our Future**



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INTRODUCTION

COMMON COUNCIL MISSION STATEMENT

“The mission of the Common Council is 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.”

THE COUNCIL PRESIDENT’S REPORT

By: David A. Franczyk

Following tough competition from many American cities, the *National Trust for Historic Preservation* chose Buffalo to host its 2011 annual convention. Buffalo’s selection for this prestigious event will afford our City the opportunity to highlight its unparalleled architecture to several thousand convention delegates who will stay in City hotels, shop in neighborhood restaurants and stores and enjoy the City’s many cultural attractions. Credit for landing the conference must be attributed to Buffalo’s preservation community.

But, although the Common Council has championed the cause of preservation through far-sighted legislation, Buffalonians must remain vigilant against a demolitionist mentality that continues to threaten the City’s incredible architectural heritage. It is with this spirit in mind that I reflect on the preservationist ethos with some historic perspective for the 2008 Common Council Action Plan.

Buffalo/Rome: A Preservationist Perspective

Visitors to Rome look upon a fragmentary built environment that merely allows a faint impression of the grandeur of the Eternal City at the time of the Caesars. The Forum itself, ancient Rome’s “Main Street,” is a collection of broken marble columns, pedestals, statuary and hollowed out pieces of temples and civic buildings. Save for the remaining third of the Coliseum and the triumphal arches of a few emperors, precious little remains intact of the City that was nothing less than the center of the world.

The assumption may reasonably be made that the fall of Rome, with the corresponding loss of its great buildings, was caused by invading barbarian armies bent on loot and destruction. From the time of the “Sack of Rome” by the Vandal Alaric in 410, to invading German mercenaries in the 16th century, it is presumed that the awe-inspiring structures of antiquity were pulled down, burned, ravaged and pulverized by conquering outsiders.

The startling reality is that the destruction of Rome was not mainly carried out by rampaging armies during time of war, *but most of the monuments and structures were destroyed by the Romans themselves!* Over centuries the Roman people pulled down the marble statues, temples, basilica and baths. They tore these great buildings down and fed the marble into furnaces to produce lime. Other buildings were knocked down piecemeal by wealthy aristocrats to adorn their Renaissance palaces, to be seen only by a few.

Save for the ancient Roman *fascisti* symbol of the bound ax and sticks adorning Buffalo’s ornate Council Chambers, what parallel does the destruction of Rome in centuries past have to do with the Queen City of the Lakes in the 21st century?

The answer is, just like the Romans, Buffalonians at times have been responsible for demolishing, tearing down or destroying the City's architectural heritage. And this destruction still continues, although with greater difficulty due to the resistance of preservationists who grasp the importance of the City's rich built environment to future generations.

Buffalo's architectural heritage is one the greatest in the world. In recent years we have finally begun to fully appreciate the genius of Frank Lloyd Wright, Louis Sullivan, H.H. Richardson and others by saving or restoring their great works in Buffalo. But this restoration only occurred after each of their works in Buffalo was threatened by abandonment, decay or demolition.

Many other structures, which do not enjoy the notoriety of being designed by the higher pantheon of celebrated architects, nevertheless play an important part in defining the fabric of the City, and are similarly threatened with demolition, or have already suffered that fate. One need only consider the loss of the Atwater House on Elmwood Avenue, the Harbor Inn in the Old First Ward or the historic Anna Beck House on Washington Street in recent years as a few examples of the hundreds of meaningful properties needlessly destroyed.

We as Buffalonians need to once and for all shut down our "lime kilns" and realize that in a hundred years, enlightened visitors to our City will thank us for saving and restoring the fabric of our neighborhoods which may in fact be the only visual antidote to the chaotic, mercilessly sterile sprawl zones which have been the hallmark of land use outside the confines of the City.

Efforts by the Common Council to support the preservationist ethos will strengthen the future opportunity for cultural heritage tourism, often touted as a remedy for a revitalized Buffalo.

FINANCIAL INITIATIVES

Develop a Strategy to Increase Recycling

Recycling is important from an environmental perspective and from a financial perspective as well since items that would have entered a landfill can instead be redirected to secondary markets. This initiative can reduce landfill costs, increase revenues from the sale of recyclable items and hopefully, reduce the refuse user fees paid by City residents for the disposal of the garbage and waste they generate.

Last year, the City paid several million dollars for refuse disposal. Under the current recycling contract, the City received approximately \$45,000 in recycling revenue and \$75,000 for marketing and education efforts to encourage residents to recycle.

Currently, Buffalo recycles about 6.6% of its garbage and this is well below the national average of 35% for municipal solid waste. The City needs to find ways to make recycling more attractive and convenient and to encourage residents to participate in recycling programs. Successful marketing efforts elsewhere have included increasing public awareness, creating financial and other incentives to recycle and changing the user fee rate structure to encourage more residents and businesses to recycle.

The community should also be encouraged to generate less refuse by adopting *pre-cycling* policies that reduce or avoid the use of items that generate waste. Examples of *pre-cycling* include buying products that are biodegradable, that come in recyclable packaging and purchasing items in bulk to reduce packaging materials.

The Common Council supports the Administration's recycling efforts and encourages the launch of an aggressive campaign focusing on education, awareness

and the creation of incentives to recycle. This endeavor must also address the need to *pre-cycle*, increase recycling revenue and reduce disposal costs.

Standardize Community Center Lease Agreements

The City is fortunate to have a network of “Community Centers” that are utilized by youth, seniors and residents for recreational and community purposes. This network includes centers which are located in City Parks and operated by Erie County pursuant to an inter-municipal agreement, those operated by the City’s Department of Community Services and Recreational Programming under the auspices of the Division of Senior Services and those that are operated by individual *Community Based Organizations* (CBOs).

For Community Centers that are operated by Erie County and the Division of Senior Services, utility costs for gas, electric, water, and sewer are paid for by the City while refuse user fees are paid by the County and City respectively. However, for Community Centers operated by CBOs, the payment of these costs is regulated by the respective operating agreement. Because there is no uniform policy for assigning responsibility for utility payments, otherwise similar agreements may require a CBO to pay all, a portion or none of such costs. Unfortunately, CBO’s who are saddled with the responsibility of paying all or just a portion of a Community Centers utility bills face a significant financial challenge since the cost can amount to several thousands of dollars each year.

The Common Council supports strengthening the role of Community Centers as a Quality of Life initiative. The Common Council also recognizes the challenges that CBOs face due to reduced grant funding and the difficulty and competitiveness associated with raising funds at a time when social values and the economy are constantly changing. The Common Council intends to work closely with the Administration to devise a citywide policy for assigning responsibility for payment of utility costs at Community Centers operated by CBO’s. This policy must be fair, equitable and will need to include benchmarks to evaluate the progress that CBOs make in reducing utility costs at their Centers.

Dedicate the Casino Local Revenue Stream to Buffalo

On-going litigation has caused considerable skepticism that an “A-plus,” \$325 million dollar casino will ever be built by the Seneca Nation in Buffalo’s Downtown Revitalization area. What is certain however is that both the existing “temporary” casino and the proposed “A-plus” casino will be situated entirely within the corporate limits of the City. The operation of either casino will tax the resources of the City and accelerate the wear and tear on our roadway, water and sewer systems.

The Common Council is unanimously in the position it has taken that the wording and intent of the *Casino Compact* dictate that the City has a right to, and must receive, all of the casino revenue proceeds earmarked for local government. Notwithstanding, Erie County officials have publicly announced their intention to fight for a portion of casino revenue.

For these reasons and the lessons learned from the experiences of the City of Niagara Falls, NY, under the *Seneca Nation Casino Compact*, the Common Council believes that it is imperative for the City of Buffalo to receive the local proceeds payable under the *Casino Compact*. To this end, the Common Council encourages the

Administration to work closely with the local delegation of the New York State Legislature as relates to the Casino Compact's provisions.

Explore Hiring a Sustainability Director / Energy Compliance Officer

As a prudent financial strategy, the City should examine all opportunities for reducing energy usage, increasing efficiency and decreasing related expenses. *Energy* is second only to *Personnel and Benefits* in terms of its size as a cost-center within City Government.

Reducing the amount of electricity, natural gas, water and petroleum products used by the City is an obvious way to reduce energy costs. The City could further reduce its energy usage by adopting policies which, for example, mandate the purchase of energy-efficient light bulbs and require that all unnecessary lights and computers be turned off at night. The City could increase its energy efficiency by replacing outdated or inefficient windows, exterior doors, faucets and toilets. Energy related expenses could also be decreased where practical, by utilizing alternative energy sources such as wind and solar power.

Our City is not alone in facing steep energy costs and much can be learned by studying how others have approached the issue. Cities nationwide have begun to hire a *Sustainability Director* and have created *Sustainability Teams* to develop and administer successful energy policies. For example, the City of Fayetteville, Arkansas' *Sustainability Director* is responsible for coordinating all City energy initiatives as well as leading a *Sustainability Team* that includes all City Department Heads. Initiatives such as this have shown great success for increasing a City's energy efficiency, reducing its energy costs across all City departments and coordinating and encouraging energy efficiency initiatives within the community.

The Common Council requests that the Administration examine the feasibility of hiring a *Sustainability Director* and creating a *Sustainability Team* that would include all City Department Heads as part of developing a comprehensive City energy policy. The new *Sustainability Director* and *Team* should be tasked to explore the possibility of using alternative energy sources, find ways to reduce overall energy usage within City Departments, identify opportunities to partner with other government agencies, the business community and residents to pursue and implement energy saving initiatives.

ECONOMIC DEVELOPMENT INITIATIVES

Remove the Skyway / Route 5 Development Barrier

The *Skyway* has long served as an impediment to the development of Buffalo's waterfront. This large, elevated concrete highway creates a visual and physical barrier to Lake Erie, our City's greatest resource, and severely limits access to the waterfront. Buffalo is among a growing number of cities that are beginning to realize that there is enormous economic development potential in reconnecting our neighborhoods to the waterfront. The removal of elevated highways in places like Milwaukee, Boston and Toronto, has proved to be an effective stimulant to economic development.

While the *Skyway* served a useful purpose for many years, construction of the modern *New York State Thruway System*, loss of population, decline in industry and elimination of large boat traffic have left this roadway largely impractical if not altogether obsolete. Due to Buffalo's harsh winters and the age of the *Skyway*, this section of

Route 5 must be frequently closed for maintenance and safety reasons. Built in the mid-1950s, the structure has served beyond its design life and will require significant maintenance and structural repairs in the future.

With the Buffalo area receiving less Federal and State Department of Transportation money each year, now is the time to evaluate the future of the *Skyway*. In doing so, our community must weigh the considerable cost associated with the annual maintenance and major improvements that will be required to keep the *Skyway* in safe operating condition, versus the benefits of removing the *Skyway* and constructing a surface-level boulevard to improve waterfront access.

The Common Council is strongly in favor of eliminating all barriers to waterfront access and encourages development of Buffalo's long neglected waterfront. To this end, the Common Council vows to continue working with Federal, State and other local officials to advance options that follow the example set by other cities that have replaced their elevated highways with at-grade boulevard alternatives.

Encourage Waterfront Projects to Move Beyond the Planning Phase

Buffalo's history is littered with great plans that are either awaiting execution, were executed poorly or have been abandoned for various reasons. This is largely due to the difficulty in balancing the varied and sometimes competing interests of City residents, businesses, elected officials, *Community Based Organizations* (CBOs) and other stakeholders.

Fostering a climate of open dialogue and continued planning are vitally necessary to ensure that development occurs in a way that reflects the long-term vision of the community. At the same time, it is important to recognize that plans are only as valuable as the projects that they translate into and no project is likely to please everyone. The City can reconcile these competing interests by ensuring that input from stakeholders is actively solicited and considered from the earliest stages of planning all the way up through construction and completion of projects.

Experience has shown that when stakeholders perceive, rightly or wrongly, that development has been planned without or contrary to their input, then the projects are far more likely to meet resistance and much less likely to see fruition. Conversely, in cases where project development is a product of and responsive to community input, the likelihood of community acceptance and project success is greatly increased. By applying these concepts to waterfront development, the likelihood of attracting new investment, businesses, residents and tourism will be greatly enhanced.

The Common Council intends to work closely with the Administration, all segments of the residential and business communities and other government officials and agencies to encourage public input and capture the community's vision throughout all phases of the planning and development of the Buffalo Waterfront, Lower Main Street, the Inner and Outer Harbors and the Buffalo and Niagara riverfronts.

Continue Brownfield Redevelopment Efforts

In today's competitive global marketplace, the cost and speed at which development can proceed are often determining factors in choosing a location for a new facility. Buffalo's abundance of vacant land and sites eligible for *Brownfield Development Incentive Programs* offer the City a tremendous opportunity to attract new development. *Brownfields* are sites that, due to previous industrial or related uses, raise

environmental concerns, contain obsolete infrastructure or are characterized by other impediments to their immediate development.

The City must take advantage of the various state and federal assistance programs that incentivize the remediation and development of *Brownfields* to create shovel ready sites. At the same time, we must continue to educate private developers and property owners on the many benefits of private development of *Brownfield* sites. On the state and federal level, grant funding is available to both public agencies and private individuals to study and develop *Brownfield* sites as part of a comprehensive plan to remove contaminants, combat poverty, eradicate blight and create jobs.

Recently, the City was successful in attracting private development to transform a *Brownfield* into a shovel ready-site with the acquisition of the former *Steelfields* land in South Buffalo. The remediation of this site added 185 acres of prime industrial-commercial land to the City's real estate inventory and built upon the economic momentum that began at the adjacent *Buffalo Lakeside Commerce Park* site. In January of 2007, *Hydro-Air Components, Inc.*, a maker of parts for the heating and cooling industry, built a new, state-of-the-art \$8.5 million, 160,000 square foot light manufacturing facility on the *Steelfields* site creating 114 new jobs, with an additional 200 new jobs likely to follow in the next several years.

Buffalo's Comprehensive Plan has identified the need for both a detailed analysis of the City's *Brownfield* sites and specific recommendations as to the short, medium and long-term reinvestment potential and options for each parcel. The Common Council requests that the Administration make completion of this study a priority. Prime targets for this study and future *Brownfield* development include the Seneca-Babcock area, Jefferson-Genesee block (northeast corner to Carlton), Tonawanda Street (between Amherst & Niagara), 59 Memorial Drive, and Porter Avenue (602 and 640 Fourth Street).

Market Economic Development Programs Using a One-Stop Approach

The Common Council has long supported offering *Buffalo Economic Renaissance Corporation (BERC) Loans* and creating *Entrepreneurial Assistance, Commercial Area Revitalization Effort (CARE), Payment in Lieu of Taxes (PILOT)* and *Business Incubator* programs to encourage economic development within our City. These programs were designed to strengthen the local economy and to provide assistance and encouragement to business to invest in the community by increasing the chances for successful expansion and growth.

These and many other economic development programs have been underutilized by business owners and entrepreneurs who are often unaware of their existence or erroneously conclude that they are not eligible to participate. Many that could benefit from these programs fail to apply because they lack the resources or expertise to navigate and comply with the numerous and complicated federal, state and local regulations that control them.

The Common Council recognizes the efforts of the *Buffalo Urban Renewal Agency (BURA)* and affiliated organizations to promote economic development in Buffalo and encourages the Administration and its new Chief Economic Development Officer to be more aggressive and user-friendly when marketing these programs. This could be accomplished by adopting a multi-media approach that includes holding small business seminars, creating more detailed brochures, developing a more user-friendly website and airing programming on the City's CATV government channel to increase public awareness and understanding of current economic development programs. The successfulness of this effort could be greatly enhanced by adopting a "one-stop"

approach whereby one individual or team would provide assistance and cater to all aspects of a customer's economic development needs.

PLANNING INITIATIVES

Update the City of Buffalo Zoning Code to Encourage Smart Growth

Many areas of Buffalo contain an overabundance of small convenience stores that disrupt the fabric of otherwise residential neighborhoods. With many neighborhoods lacking supermarkets and merchants who offer basic amenities, these stores are a convenient option for those who lack transportation. They rarely feature healthy food options, fresh meat or produce and customers often rely on their limited selection of processed, pre-packaged food items for their daily nutritional needs. Of further concern is that convenience storefronts all too often become gathering points for idle teens, centers for panhandling and locations for drug dealing creating more problems than benefits for neighborhood residents.

The Common Council recognizes that the City's current zoning regulations must be retuned to reflect the changes that are occurring in many of our City's neighborhoods and has adopted a *Smart Growth Plan*. This plan embraces ten basic principles: encouraging mixed land uses; taking advantage of compact building designs; creating a wide range of housing opportunities and designs; creating walkable neighborhoods; fostering distinctive, attractive communities that have a strong sense of place; preserving open space, farmland, natural beauty and critical environmental areas; strengthening and directing development towards existing communities; providing a variety of transportation choices; making the development process predictable, fair and cost-effective; and, encouraging community and stakeholder collaboration in development decisions.

The Common Council looks forward to working in tandem with the Administration, *Good Neighbor Planning Alliances* (GNPAs) and local residents to compliment *Smart Growth* initiatives by implementing a *Smart Code* for zoning to better achieve the goal of maintaining the residential fabric of our neighborhoods while creating opportunities for business growth.

Codify a Role for Community Participation in Planning and Development

As part of its review process, the City Planning Board holds Public Hearings to gauge public sentiment and solicit input from those who are most likely to be impacted by a project. Despite this, the Common Council continues to receive complaints from residents who feel that additional safeguards should be put in place to ensure that their role in the planning and development process is a substantive one.

The City is partnering with *Good Neighbor Planning Alliances* (GNPAs) in an effort to ensure that community input is considered as part of the planning process. GNPAs provide residents with a way to voice their opinions on the projects that will shape the future direction of their neighborhoods. The residents who serve on GNPAs are generally among the most active in their community and are an effective conduit for the ideas, suggestions and visions of their neighborhood in dealings with the City, developers and preservationists. Notwithstanding, some residents and GNPA members complain that they are still "on the outside looking in" when decisions concerning their community are being made.

It is the Council's belief that stronger neighborhoods, and by extension a stronger City of Buffalo, can be achieved by ensuring that those who live in, know and have the most invested in our neighborhoods, have a strong voice in the planning and development process. In an effort to improve the City's planning and development process, the Common Council intends to review the City's current public input and review process. In particular, the Council will examine whether the role of GNPA's should be incorporated into the City's Charter and Code provisions.

Brand Buffalo's Neighborhoods

Buffalo is a city of unique and vibrant neighborhoods. Some City neighborhoods have been very successful in defining themselves through "neighborhood branding" by marketing their distinct identity, history and character. Unfortunately, the treasures and uniqueness of many neighborhoods continue to remain largely unknown to those outside the community.

A good example of neighborhood branding is the City's partnership with the *Allentown Association* to market the *Allentown* area as a vibrant arts community and with the *Forever Elmwood* organization to promote the *Elmwood Village* as the place to go for funky stores and trendy restaurants. In each of these areas, stakeholders reached a consensus on their neighborhood's strengths allowing them to identify opportunities and successful strategies for retaining and attracting new investment, residents, visitors and businesses.

Each Buffalo neighborhood has an opportunity to create an identity for itself by focusing upon its qualities such as their unique architectural character, proximity to water or green spaces, abundance of beautiful homes or gardens, ethnic heritage, entertainment options, retail options, affordability or even exclusivity. Branding could help to dispel the inaccurate perception that many of Buffalo's neighborhoods have little to offer or are indistinguishable from one another.

The Common Council encourages neighborhoods to define themselves through branding and will work closely with the Administration and *Good Neighborhood Planning Alliances* (GNPAs) to develop marketing strategies that include descriptive names, slogans, logos and signage.

Make Buffalo More Pedestrian and Bicycle Friendly

Many Buffalo pedestrians and bicyclists feel that their transportation needs are treated as an afterthought when it comes to designing and regulating the use of roads and highways within the City. Although automobiles and trucks account for the vast majority of traffic on our streets, bicycling and walking are eco-friendly, healthy and sustainable methods of alternative transportation that are being used by a growing number of City residents.

In the past, the design and planning of streets and highways appears to have focused almost exclusively on facilitating the flow of vehicular traffic rather than providing safe and attractive routes for bicyclists and pedestrians to travel through and enjoy our City's beautiful neighborhoods. This is evidenced by the lack of bicycle lanes, sidewalks, crosswalks, benches, green space, trees and pedestrian shelters on many of our streets.

The Common Council urges the Administration to increase traffic safety and promote good health for residents and visitors to Buffalo by adopting a *Complete Streets*

Initiative. As part of our City's urban planning efforts, the *Complete Streets Initiative* should focus on the creation of an efficient and enjoyable network of roads, highways and pathways for automobile, truck, pedestrian and bicycle traffic. By better incorporating the needs of pedestrians and bicyclists into Buffalo's street designs, it will be possible to reduce the number and severity of accidents involving these groups. This safer atmosphere would hopefully promote a more active and healthier citizenry, decrease our reliance on fossil fuels and lessen air-borne pollution.

Grow the Number of Community Gardens in Buffalo

Experience has shown that community gardens that are incorporated into neighborhood streetscapes can become lasting community assets. When properly maintained, gardens can bring great value to the community at large and act as a catalyst for getting residents involved in their neighborhood.

The time, effort and collaboration that goes into creating and maintaining community gardens can foster an increased sense of pride and ownership in one's community. These green spaces can also provide a venue for education, recreation and relaxation for neighborhood residents, promote environmental awareness and potentially become a source of fresh produce.

The Common Council supports inclusion of Community Gardens in the City's Strategic Planning efforts and encourages the Administration to set aside adequate funding to assist with their planning, creation and maintenance. The Council additionally recommends that the Administration look for opportunities to collaborate with the business community, non-profit groups and Buffalo's many *Community Based Organizations* (CBOs) to identify opportunities for including amenities such as benches, children's play areas and artwork to these gardens to beautify them and add to their value to the community.

SAFE AND AFFORDABLE HOUSING INITIATIVES

Standardize Housing Survey Policies

A number of independent surveys of Buffalo's housing stock have been completed in recent years by local colleges and universities, *Community Based Organizations* (CBOs) and the City itself. The City also conducts its own housing stock surveys, but does not usually share this information with the public due to safety, security and privacy concerns. Although each of these studies focused on slightly different aspects of the City's housing stock, they shared a common goal of gathering statistical information for planning, development, or grant application purposes. Useful comparison between reports has been hampered however, by the lack of uniformity in their design and preparation. This has lead some housing stock studies, despite the considerable time and efforts involved in their preparation, to be of limited value.

Organizations such as the *State University of New York at Buffalo's Regional Institute*, the *WNY Law Center Local Initiatives Support Coalition (LISC)*, *People United for Sustainable Housing (PUSH)*, *Neighborhood Housing Services (NHS)*, *Heart of the City* and *Fix Buffalo* have expressed a willingness to work with the City to develop a uniform methodology for conducting housing stock surveys.

The Common Council urges the Administration to collaborate with these organizations to design and implement standardized policies and procedures for

preparing housing stock surveys. This initiative would hopefully eliminate reporting redundancy, encourage a more efficient use of our community's limited resources and ultimately provide a more comprehensive picture of Buffalo's housing stock.

Support Weatherization and Energy Efficiency Initiatives

Many of Buffalo's homes are older and can be bought relatively cheaply when compared to what one would pay elsewhere for similar properties. Most City residents live in one or two-family wood-framed homes that were erected in the early 1900's - a time when energy costs were lower and energy efficient technology was yet to be developed. While the inexpensive selling price of older homes can present an attractive opportunity for prospective buyers, the associated cost of heating, cooling and maintenance can be especially onerous for the financially disadvantaged, elderly or those who subsist on fixed-incomes.

Older homes can be made more affordable in the long-term by weatherizing them and making them more energy efficient. Weatherizing measures can range from inexpensive, for minor repairs such as caulking exterior gaps and weather-stripping doors, to more costly, when replacing roofs, windows, doors and siding. Installing insulation and modernizing heating, ventilation and lighting systems can further increase the energy efficiency of a home. Even with the potential for significant long-term savings, many Buffalo residents can not afford the large upfront costs associated with such improvements.

In recent years, the City has focused on constructing new homes and directed fewer resources toward preserving its older housing stock. Consequently, many older neighborhoods are in decline and are experiencing an increase in poverty due to a lack of public and private investment. Weatherization programs can increase the long-term affordability of housing, are important tools to combat poverty and can free up monies that otherwise would have been spent on utilities. Furthermore, money spent on weatherization can attract additional neighborhood investment, infuse dollars into the local economy and can create a ripple effect in spending.

The Common Council requests that the Administration allocate resources and additional *Community Development Block Grant* dollars to create a *Green Affordable Housing Fund* to provide grants and low-interest loans to homeowners for weatherization, energy efficiency and home improvement projects. This initiative must give preference to low-income residents and involve local lenders and non-profit housing organizations

Initiate a Roof Replacement Matching Grant Program

Over time, the structural integrity of a home can be compromised if needed roofing repairs are not made. A roof that is worn or leaky can make a home unsound, unsafe and potentially uninhabitable. When homes reach an advanced state of disrepair, they are frequently abandoned and often must be demolished at the expense of the City for reasons of public safety. Abandoned homes are targets for arson and pose a serious danger to firefighters should their roof collapse during a fire.

In some situations, simple repairs to a worn or leaky roof can be an effective short-term fix to a more severe roofing problem. In extreme cases or when needed repairs are not made however, a complete "re-shingling" may be required to restore the roof to its original condition. New York State law limits the number of layers of roofing

shingles that a structure can have, but this law was often ignored due to erroneous recommendations by unscrupulous roofing contractors and homeowners who lacked the funds for a complete “tear-off” and installation of a new roof.

The Common Council believes that given Buffalo’s high poverty rate and large percentage of older homes needing new roofs, that the City must develop and implement a matching grant program to provide a financial incentive for residents to re-roof” their homes. The Council envisions a City-wide *Roof Replacement Matching Grant Program* that would award grants on a first-come, first-serve basis that would aid homeowners in re-roofing their homes, stimulate private investment in Buffalo’s housing stock, and dramatically increase safety for firefighters in the event of a fire.

Grant funding should be limited to applicants who own a home in the City, use it as their primary residence and engage a competent roofing contractor to complete a full roof “tear-off” and re-roofing that complies with City Housing Codes. The Common Council believes that the *Roof Replacement Matching Grant Program* started by Council Member Kearns in the South District could serve as an effective model for expanding the program within the other Council Districts.

Expand Lead Paint Screening and Abatement Efforts

A large percentage of Buffalo’s housing and building stock was constructed prior to 1978 and an unknown number of these properties continue to pose a threat to children because of the potential presence of lead based paint.

Lead based paint is poisonous if ingested and can cause learning and behavioral problems, especially in young children. Lead based paint affects the entire community and statistically, children who become victims of lead poisoning are less likely to finish high school and more likely to become long-term recipients of government assistance. In addition to posing a serious public health hazard, the continued presence of lead based paint in City homes and buildings poses long-term financial implications for the community.

Despite on-going governmental efforts to dedicate adequate resources to abate lead paint and educate the public to its health hazards, the Common Council believes that the threat of lead poisoning warrants that additional measures be taken. To this end, the Council pledges to work with health care professionals and the Buffalo School System to explore the need for expanded lead screening, increased public awareness efforts and if necessary, the enactment of a new ordinance mandating that all City properties built before 1978 be tested for lead based paint prior to their rental or sale.

Revisit the Rental Registry Program

In 2004, the Buffalo Common Council enacted *Chapter 264 of the City Code, “Rental Dwelling Unit Registration.”* This law established a *Rental Registry Program* and led to creation of a database containing information on all owner and non-owner occupied rental properties in the City. This initiative was envisioned as a tool for identifying the owners of rental properties and for dealing with safety and code-enforcement issues specific to them.

The City’s Department of Economic Development, Permits and Inspections hired new inspections and clerical staff to administer this program and manage its database. Unfortunately, the *Rental Registry Program* has not achieved the level of success that was expected. In particular, some have voiced concerns regarding the adequacy of

measures to deal with those who fail to register their properties or pay the applicable fees as mandated in the City Code.

As part of the City's ongoing efforts to improve the quality of life of property owners, renters and residents, the Common Council intends to revisit the *Rental Registry Program* to evaluate the program's strengths and weaknesses. This analysis will include research into whether additional enforcement tools are needed to make the program more successful.

Conduct Neighborhood-Based Home Ownership Events

A neighborhood is usually described as an area of a municipality that has been earmarked for residential, commercial or mixed use. The City is fortunate to have a high number of neighborhoods that are almost exclusively residential in nature. The lure and fabric of these highly residential areas can be sustained by retaining and attracting new homeowners, especially first-time buyers who seek an urban living style.

One way that this can be accomplished is by conducting a *Neighborhood-Based Home Ownership Event*. The events are characterized by a strategy that partners local housing professionals, such as lenders, realtors and community groups, with prospective homeowners.

Common Council Member Russell in conjunction with *Street Synergy*, the State University of New York at Buffalo (SUNYAB) and various other *Community Based Organizations* (CBOs) in the University District annually sponsors an *Urban Discovery Event* that could serve as a model for how a citywide initiative can work. For nearly ten years, this event has successfully brought together real estate professionals, lenders and prospective homeowners to provide valuable housing information, especially to first-time buyers, and to attract new residents to the University District.

The Common Council intends to review current City sponsored home ownership initiatives along with the feasibility of establishing a program based upon the *Urban Discovery Event* in each Council District. The Council looks forward to working closely with the Administration, *Neighborhood Housing Services* (NHSs) and local residents to educate and assist individuals in achieving their dream of home ownership in the City of Buffalo.

Eliminate the Old First Ward's Flood Plain Designation

In 2007, the *Federal Emergency Management Association* (FEMA) revised their *Flood Insurance Rate Maps* (FIRMs) and declared much of the *Old First Ward* to be a *Flood Plain*. Federal law mandates that flood insurance coverage must be maintained on any property that is financed by a federally-backed mortgage or loan and located within a *FEMA* designated *Flood Plain*. Consequently, many *Old First Ward* homeowners are now saddled with the unanticipated burden of purchasing expensive and arguably unnecessary flood insurance at a time when many are struggling to meet their every-day living expenses.

The Old First Ward abuts Lake Erie and is located within the Fillmore Common Council District. The area is also interspersed with river and creek outlets but serious flooding has not been an issue. Further, a recent survey of residents in close proximity to the waterways traversing these areas failed to document the settlement of even one claim by *FEMA* under the *National Flood Insurance Program*. Many therefore argue that *FEMA's* actions are simply a thinly veiled effort to subsidize the *National Flood*

Insurance Program (NFIP) and recoup a portion of the millions of dollars that FEMA has paid out in recent years as a result of damage from hurricanes like *Katrina, Rita* and *Wilma*. Historically, the vast majority of claims settled by FEMA under the NFIP have been paid out to property owners in hurricane and flood prone areas of the Southeastern states.

The Common Council is actively reaching out to leaders at all levels of government in an effort to remove the *Old First Ward's* FEMA imposed *Flood Plain* designation. The Council urges the Administration to continue to allocate funding and staff to work with City consultants to compile the evidentiary documentation necessary to eliminate the financial burden associated with and the requirement that residents of the *Old First Ward Flood* purchase unnecessary and costly flood insurance.

QUALITY OF LIFE INITIATIVES

Create Preservation and Demolition Policies

Buffalo is fortunate to have a legacy of historically and architecturally significant commercial buildings, schools, churches and libraries. At one time, these structures served as community anchors that stabilized our neighborhoods, but today, many are abandoned or in disrepair and instead contribute to neighborhood decline. Because doing nothing is clearly not an option, our community is faced with the difficult decision of determining which structures can be reused and which should be demolished.

As a community, we must balance our sentimental attachment to certain structures with the harsh reality that in today's tough economic times, these buildings are increasingly more difficult and expensive to maintain. The redevelopment or reuse of a vacant structure that is part of a complex that contains other buildings can be especially challenging. For example, churches are often adjacent to a rectory and a school, while businesses are often in close proximity to a warehouse and a parking lot.

Recognizing these challenges, various government agencies have offered tax credits and incentives to encourage habilitation and reuse of vacant properties. A new generation of developers is learning to use these programs to adapt old buildings for modern day use as a profitable alternative to demolition. The materials and craftsmanship common to older structures cannot be procured affordably or easily reproduced and innovative developers have found that preserving and incorporating the original architecture in re-use plans can be profitable and rewarding.

The City has already begun to find creative ways to partner with individuals, *Community Based Organizations* (CBOs), non-profit agencies and the business community to re-use City owned buildings. Several notable examples of this involve the re-opening of closed library branches. The former *Cazenovia Library* in the South District has been re-opened as a community reading room and resource center through a partnership with *AmeriCorps, The Friends of Cazenovia Library* and other community groups. The *Northwest Branch Library* on Grant Street in the Niagara District was also re-opened as a reading room and now houses the administrative offices for the *Massachusetts Avenue Project*. Lastly, the former *East Utica Library* in the Masten District is now being used as a small business incubator. Firehouses have also been converted into unique residential housing. Former libraries and firehouses are but two examples of successful transformation and reuse but Buffalo has many other closed government buildings such as police stations and schools that hold tremendous potential for rehabilitation and creative reuse.

The Common Council vows to work closely with the Administration, economic development agencies, developers, *Community Based Organizations* (CBOs) and residents to identify opportunities for preserving community architectural and historical treasures. These efforts must include the creation of a City-wide inventory of abandoned buildings, a streamlining of the City's permitting and inspections process for rehabilitation projects, an allocation of adequate resources to promote the incentive programs that are available for rehabilitation projects and the training of staff within the City's Office of Strategic Planning to become subject matter experts to assist the private sector in rehabilitation projects.

Change the Code Enforcement / Demolition Cycle

The level of neighborhood commitment and participation shared by owners and residents declines quickly when others do not share the same level of concern. By example, Buffalo is currently plagued by a pattern of home abandonment, structural deterioration and ultimately, demolition. The old adage, "that when one leaves, the others follow" is all too apparent in the never ending cycle of demolitions currently occurring with the City. Yet this outcome runs counter to an owner's obligation to maintain their property.

A major underlying cause of the demolition scenario is the City's failure to effectively enforce its Housing Codes and prosecute violators. Further, experience has shown that aggressive code enforcement is only part of the solution; residents and property owners often must be encouraged to reengage with their community and reinvest in their neighborhoods. When done successful, neighborhoods that were once "written-off" can be reestablished and transformed into growing and prosperous communities.

The future of Buffalo lies in our residents for without residents, there can be no City. The Common Council is committed to reversing the decline of Buffalo's housing stock and recognizes that a comprehensive approach will be required. To achieve this goal, the Council looks forward to working closely with the Administration, *Good Neighbor Planning Alliances* (GNPAs), *Community Based Organizations* (CBOs), investors and developers to improve City Code enforcement, foster neighborhood pride and identify and address issues that contribute to the erosion of City neighborhoods.

Combat Property Crimes

Property crimes such as theft, damage and graffiti continue to be major problems Citywide and the associated monetary losses can amount to thousands of dollars each year. It is an unfortunate reality that the criminal actions of a select few can negate, or even reverse, the hard work of community residents who take pride in their property and work hard to maintain it. Property crimes often trigger a "domino-effect" whereby the quality of life and confidence that residents have in their community quickly erodes.

Littering, graffiti, vandalism, car and home break-ins and related property crimes can so severely impact the quality of life in our neighborhoods that residents choose to relocate to other areas of the City or surrounding suburbs. When this occurs, the impact on the residents who remain can be far reaching and can often translate to higher insurance premiums for their home, automobile and other valuables. Ultimately, the loss of residents can erode the City's tax-base and saddle those who remain with a greater tax burden.

As demonstrated in New York City under Rudy Giuliani's *Broken Windows Initiative*, prioritizing funding for reversing and preventing damage caused by graffiti, vandalism and other property crimes can restore public confidence in an area and stimulate economic development. The Common Council steadfastly supports the efforts of the Administration and local Law Enforcement to aggressively combat property crimes and encourages a zero-tolerance policy and maximum sentences for those convicted of such offenses. Additionally, in future City budgets, funding should be specifically allocated for graffiti removal.

Enact a Problem Property Response Time Guarantee

City residents provide another set of eyes and ears for identifying problem properties for the City's Department of Economic Development, Permits & Inspections Services to investigate. Overgrown grass, falling gutters and other unsightly or dangerous property conditions can have a huge impact on residents' quality of life. If not addressed in a timely manner, this can erode the fabric of the community and lead to neighborhoods becoming unsafe and undesirable.

Even with recent technology upgrades, many consider the City's Inspections Division to be understaffed and overstretched. When complaints and the accompanying property inspections take too long to be addressed, residents become frustrated and can quickly lose confidence not only in the City and its Inspections Division, but in the neighborhood they live in as well.

The Common Council requests that the Administration establish a *Problem Property Response Guarantee* initiative for housing code complaints. This program should be modeled after the City's *Pothole Repair Guarantee* program. By guaranteeing that an inspector will visit any property within 48 hours of receiving a complaint, the City would be taking a much more proactive approach to protecting its housing stock and restoring the confidence residents need to have in their neighborhoods.

Expand the Buffalo Police Department's K-9 Unit

Back in 1999, in an effort to cut costs, the number of canines (*K-9s*) in the Buffalo Police Department was reduced from twelve to two and shortly thereafter the *K-9* unit was eliminated altogether. Recognizing the value that *K-9s* bring to the police force, this year the City was able to identify funding to reestablish its *K-9* unit. This initiative brought two *German Shepherds*, *Konan* and *Herc*, to the Buffalo police force.

Police *K-9s* are selected as puppies and undergo at least eight weeks of specialized and intensive training. *German Shepherds* are commonly chosen for police work because they have been bred to be working dogs of sound temperament, intelligence and appearance. A dog's sense of smell, taste and hearing is much greater than that of any human and when properly trained, they are able to detect the presence and pinpoint the location of individuals, human remains, drugs and biological or explosive agents. *K-9s* can also serve as a strong deterrent to those who might otherwise consider fleeing or resisting arrest and can be used to control unruly crowds.

The Common Council urges the Administration to expand the *K-9* unit by acquiring and training additional police dogs like *Konan* and *Herc*. Ideally, at least three new *K-9s* should be added to the Buffalo Police Department to allow for one *K-9* to be assigned to each of the five Police Districts.

Secure Buffalo's Place as a Premier Arts Destination

Our community has a long tradition of supporting the arts and was recently recognized by *American Style* magazine as the *Number One Arts Destination* in the nation among cities with 100,000 to 499,000 residents. This has attracted well-deserved attention to Buffalo's vibrant arts scene and should serve as a catalyst for other artistic endeavors in our City. To sustain our vibrant arts scene and ensure that it continues to flourish, our community must continue to support and encourage both public and non-public arts initiatives.

The *Buffalo Mural Arts Project* (BMAP) is just one of a number of *Community Based Organizations* (CBOs) that are partnering with local businesses, artists, and the community at large to create art for public enjoyment. This project seeks to bring together community minded artists and property owners to create life size murals on privately owned, owner-occupied buildings to promote things that are uniquely Buffalo and create a sense of place in City neighborhoods. BMAP initiated this beautification project with the hope of empowering local residents and encouraging revitalization of our community through the visual arts.

The Administration has declared 2008 to be the "Year of the Arts in Buffalo, NY," and the Common Council urges the Administration to follow through on this pledge by supporting arts initiatives in Buffalo this year and beyond. There is enormous potential for the *Buffalo Public School's Academy for the Visual and Performing Arts* and the *City's Summer Youth Program* to partner with BMAP and other *Community Based Organizations* (CBOs) to channel artistically inclined youth into neighborhood artistic endeavors. The Council looks forward to working with the Administration, *Buffalo Board of Education* (BBOE) and the *Buffalo Arts Commission* to explore this opportunity and others to encourage continued growth and prosperity of Buffalo's arts scene.

Return Ice-Skating to Hoyt Lake

Recently, there has been a community-based push to return ice-skating and winter activities to Hoyt Lake, which is located in Buffalo's *Frederick Law Olmsted*-designed Delaware Park. The park continues to provide recreational opportunity for residents but Hoyt Lake is no longer a year-round attraction that features ice-skating during the colder months. The attraction to ice-skating helped to make Hoyt Lake and Delaware Park a popular regional destination throughout the year and local businesses benefitted from an influx of patrons.

In addition to the logistical challenges of making Hoyt Lake safe for ice-skating and recreational use, the various agreements relating to maintenance of Delaware Park may complicate matters more. An inter-municipal agreement between the City and the County of Erie, NY, for the care and maintenance of City parks, places responsibility for upkeep of City parks on the County. The County however, sub-contracted their responsibility for Olmsted-designed Parks and Parkways to the *Olmsted Parks Conservancy*. Consequently, new negotiations and a revision of these agreements may be required to return ice-skating to Hoyt Lake. This would also require a coordinated effort between three separate entities each currently facing their own financial and managerial challenges.

Despite these challenges, the Common Council fully supports returning skating to Hoyt Lake and urges continued dialogue between the Administration, the County and the Conservancy to bring this initiative to fruition as soon as next winter.

COMMUNITY OUTREACH INITIATIVES

Establish an Office of New Buffalonians

Since 1997, more than 1,000 *Burmese* have settled in Buffalo and immigrants from nations such as *Yemen, Somalia, Iraq, China, Ukraine, Sudan* and *Burundi* are increasingly calling Buffalo their new home. Buffalo's plentiful housing stock and low cost of living offers these immigrants a unique opportunity to resettle and prosper.

Along with the many opportunities that new immigrants bring to our community, come a variety of challenges including their unfamiliarity with our language and culture. Historically, some immigrant communities have had problems with government service agencies and law enforcement due to language barriers, illiteracy, a lack of knowledge of our legal system and, for some, negative or even violent experiences with authority in their homelands.

While new residents gain familiarity with our language and customs over time, the City can take a proactive role to ease the transition by creating programs that address the immigrant community's special educational, legal, housing and resettlement needs. Building on the lessons of the past, it is possible for Buffalo to successfully assimilate new immigrants while preserving and capitalizing upon the culture, diversity and vibrancy they bring to our City.

The Common Council encourages the Administration to identify funding for the creation of an *Office of New Buffalonians* within the City's Department of Community Services to work alongside the Citizen's Rights Commission. This initiative, modeled after the City of Boston, MA's highly successful *Office of New Bostonians*, would work to attract new immigrants to Buffalo, assist our burgeoning immigrant populations in successfully settling locally and act as a liaison between new immigrants, human services, law enforcement and legal-aid agencies.

Provide Information and Services in Multiple Languages

Buffalo has long been a melting pot of diverse cultures and ethnicities and today, immigration continues to challenge the way City Government communicates with and delivers services to residents. Many immigrants continue to rely primarily on their native tongues as they work to become fluent in spoken and written English. This makes it difficult for the City to provide these new Buffalonians with the same information and level of service that is offered to those who communicate in English.

As the City Department of Management and Information Systems (MIS) transitions to providing City information via the internet, the Common Council requests that the City's website be upgraded so as to allow user navigation in one's language of choice. This would enable all visitors to the City's website to access vital information in a language that they can understand.

Additionally, the Common Council encourages the Administration and the City Clerk to arrange for interpreters to assist non-English speakers at public meetings and hearings. Although event attendees may not yet be fluent in English, their opinions as residents of this City are valuable and should be heard. This initiative should also apply to the programming shown on the City Government Cable Access Channel (*Time Warner Cable Channel 22*) and to City departments that receive a high volume of calls such as the new *311 – Call and Resolution Center*.

Expand Police Community Outreach

The relationship between City residents and the law enforcement community can at times be strained. This can obscure the fact that citizens and law enforcement share a common goal of keeping Buffalo a city of safe streets and strong neighborhoods.

Some believe that increased demands on our officers' time have lead them to being less accessible to residents. With fewer opportunities for face-to-face interaction, all too often the first meeting between a law enforcement officer and a law-abiding resident occurs after a crime has been committed. Creating more opportunities for regular interaction could help foster a closer relationship between our officers and the community they serve and promote mutual trust and respect.

The Common Council encourages the Administration to emphasize and increase interaction between residents and police officers in the upcoming year. With the City preparing to hire additional police personnel, it is important that Buffalo and its Police Department intensify community outreach efforts. Committing additional officers to attend community meetings and events and increasing the number of foot and bike patrols can greatly increase the visibility and accessibility of officers to residents.

***** The End *****

A copy of this Annual Action Plan can be found on the City of Buffalo Website:

www.city-buffalo.com

For more information on this Annual Action Plan, please contact any of the District Common Council Members listed below:

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