

City of Buffalo Common Council Annual Action Plan 2009-2010

“Enhancing Our Environment”

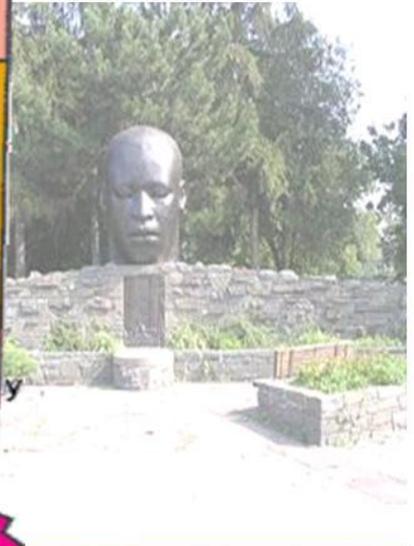


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MISSION STATEMENT OF THE COMMON COUNCIL

“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.”

MESSAGE FROM THE COUNCIL PRESIDENT

By: David A. Franczyk

Obama Plan Evokes New Deal for Buffalo

Parallels between Franklin Delano Roosevelt’s New Deal and Barack Obama’s Stimulus Package are striking in light of the economic difficulties faced by our nation today as well as during the Great Depression.

Buffalo suffered severely in the 1930’s. With a nearly thirty-five percent (35%) unemployment rate, public need was so great that the City exhausted all of the relief funds that had been set aside for the poor. In response to this hardship, Mayor Charles Roesch reported to the Common Council his plans for a “Man-A-Block” Program to hire the unemployed to clean-up, paint-up and beautify Buffalo. In 1931, the Common Council established an Emergency Work Bureau in Buffalo.

Although current unemployment levels in Buffalo’s minority community rival or surpass job loss in the 1930’s, the severity of the Great Depression, with its soup kitchens and breadlines, was greater than that of the current economic collapse. Former Governor of New York State Franklin Roosevelt was very familiar with Buffalo, and accordingly earmarked millions of dollars in federal Public Works projects to the Queen City. Roosevelt’s Works Progress Administration and the federally supported Buffalo Emergency Work Bureau not only provided much-needed jobs, but were responsible for the construction of community assets that have served many generations including the Buffalo Zoo, Police Headquarters, Kleinhans Music Hall, Cazenovia Park Swimming Pool, Memorial Auditorium, art mural projects, improvements to Delaware Park, numerous schools and other civic buildings, and thousands of miles of streets and water lines.

Today, President Barack Obama, following in the footsteps of Roosevelt, understands that the federal government must play a pivotal role in rebuilding the economy through wise investment in our nation’s crumbling infrastructure, and especially that of our cities. He is working with Congress to supplement the Community Development Block Grant Program and earmarking billions in stimulus dollars to “fix the basics” in cities that have been neglected by recent administrations in Washington.

Unlike New Deal funding, which went directly to cities, President Obama’s plan looks to direct federal dollars through the states for streets, bridges, and basic infrastructure, with 30 percent being designated for urban areas like Buffalo. Funding for high-speed rail holds promise to

breathe new life into buildings like Buffalo's New York Central Terminal which could act as a new hub for swift rail travel between Buffalo and Albany.

Presidents Roosevelt and Obama had to endure disingenuous charges of turning the nation to communism or socialism. Roosevelt, a millionaire himself who wanted to save the capitalist system, said simply "We have endured the hatred of entrenched greed." Indeed, just as the misguided policies of President Herbert Hoover deepened misery in the great Depression, more recently, President George W. Bush exacerbated America's economic meltdown by ignoring and disregarding the plight of many of America's cities.

The Common Council looks forward to productively utilizing the federal stimulus funds earmarked by President Obama, much as our forefathers did in the Great Depression, to restore, rehabilitate and rebuild the bones of our great city to ensure a solid foundation for many years to come.

NEIGHBORHOODS – QUALITY OF LIFE INITIATIVES

Adopt a Comprehensive Housing and Infrastructure Plan

History has shown that population loss is often detrimental to a community. A decrease in its number of residents will typically lead to a community generating less revenue from fees and taxes unless rates are increased. Such funding streams are critical sources of revenue that cities need in order to fund their operations, provide citizens with services, and maintain, repair and replace public assets.

In the short term, replacing lost population is very difficult. “Shrinking” cities are thus left with limited options for combating the loss of revenue, none of which are particularly attractive. While some strategies may be successful in allowing a city to increase revenues and/or cut costs in the short term, they often have the undesirable effect of impairing economic development efforts, lowering quality-of-life for residents, and actually increasing the rate at which a city’s population shrinks in the long term.

One of the most visible signs of population loss is housing vacancies. Buffalo’s current population is nearly 50% smaller than what it was at its peak. As a result, the City contains significantly more homes than are needed for its residents. Many neighborhoods are plagued by depressed home values, a low demand for housing and large numbers of aging and dilapidated homes that are abandoned and need to be demolished. Sewers, streets, and other types of infrastructure were designed to serve many more residents than live in the City today and frequently operate well under capacity. The cost to the City to operate and maintain this infrastructure has not decreased proportionally with Buffalo’s population loss and so fewer taxpayers must foot the bill for required maintenance.

The City of Buffalo and its allied agencies offer a number of programs that provide loans and grants to induce residents to update and repair their homes. For example, financial aid is being made available to help homeowners replace roofs and update structures to make them more energy efficient. The City’s efforts have been criticized, however, because of a perception that although the City offers housing programs, it continues to operate without a true housing plan. Many have charged that the programming that is being offered lacks centralized coordination, a comprehensive vision, and little is being done to address the fact that Buffalo no longer needs, nor can afford to support, an infrastructure that was designed for a city with a population twice its current size.

The Council maintains that a collaborative effort between the City’s administration, the District Common Council Members and allied City agencies is needed to develop a Comprehensive Housing and Infrastructure Plan. This plan should complement the goals of *Queen City in the 21st Century: Buffalo’s Comprehensive Plan* and establish policies to protect stable neighborhoods and innovative ways to reduce costs to the city. This new Comprehensive Housing and Infrastructure Plan should include demolition and re-use policies, land-banking strategies, and a blue-print to improve the quality-of-life in residential neighborhoods. The Council anticipates the continued collaboration of these stakeholders to ensure the administration of housing programs in a manner that coordinates with the City’s Comprehensive Housing Plan objectives.

Create New Weatherization Programs

Without appropriate upkeep and maintenance, structures will eventually begin to succumb to the effects of time and weather. If minor problems with homes are left unaddressed, they can quickly lead to more serious problems which may ultimately compromise a building structurally and require costly repairs or even demolitions. Although the City attempts to hold property owners responsible for demolition costs, often times these costs must be absorbed by the City.

Demolitions can also harm the environment and disrupt the fabric of a neighborhood. Demolitions negatively impact the environment because the debris that is left over must be sent to landfills. When demolitions result in empty lots, the land can easily become overrun with weeds and often is used for unauthorized dumping. When replacement homes are built, natural resources must be extracted from the environment for its construction and such homes are typically of an incompatible, suburban character that does not resemble the prevailing architecture of surrounding homes. In either situation, the fabric of that community is disrupted.

The need to demolish or make costly repairs to a home can be avoided through proper “weatherization.” Weatherizing protects the interior and exterior of a building from the damaging cumulative effects of sunlight, precipitation and wind. Although building owners may incur significant upfront costs with certain types of weatherization, they are likely to realize significant savings over the long term. This is because preventative maintenance substantially decreases the likelihood that costly weather related repairs will be needed in the future. Additionally, residents are likely to realize immediate cost savings as a result of optimized energy efficiency and decreased energy consumption.

Weatherizing a property can greatly extend a structure’s lifespan and make it more marketable to prospective tenants. Weatherization programs that target rental property owners, such as low-interest financing for weatherization and repairs to single-family and multi-family investment rental properties, can be used as a further incentive for landlords to make weatherization upgrades. This is especially important in low-income neighborhoods where abandonment of dilapidated homes is a serious problem and many renters struggle to pay their utility bills.

Although available funding streams are limited and the City has many needs, the Council believes that offering weatherization programs to homeowners is critically important to leveraging the private investment that is needed to strengthen our neighborhoods. The Council advocates for prioritizing home weatherization and rehabilitation programs using Community Development Block Grant (“CDBG”) funding, and pledges to do all it can to persuade allied agencies to prioritize their spending plans accordingly.

Implement and Enforce Complete Streets Initiatives

In the past, some pedestrians and bicyclists criticized the City for failing to take a comprehensive approach to the design of City streets. Critics felt that the needs of bicyclists and pedestrians were rarely considered to be integral parts of overall street designs and, when

such features were incorporated, they were often last-minute additions to otherwise auto-centric designs.

In 2008, the Council took a concrete step towards ensuring that amenities for bicyclists and pedestrians are included, where appropriate, on roadway projects by unanimously approving a "Complete Streets" ordinance.

The Council's Complete Streets ordinance will only be effective in its goal of making Buffalo's streets a safer and more attractive place for bicyclists and pedestrians if the City consistently applies and enforces this law. To this end, the Council vows to work closely with the City's administration and all involved departments in the upcoming year to ensure that Buffalo continues to develop into a city of "complete streets."

Promote Urban Farming

As society has become more aware of the environmental impact of large-scale commercial farming and the importance of dietary health, people have increasingly begun to pay attention to the source of the food they eat. As a result, most large supermarkets now feature organic food sections and signage to market food that is produced locally.

Many City residents, however, particularly those who do not own their own transportation, lack convenient access to a large supermarket. These residents commonly shop at small delis or corner stores to meet their family's daily nutritional needs, many of which offer a narrow range of products and rarely contain fresh produce. As a result, urban agriculture has become a popular means for city-dwellers to obtain fresh produce.

Backyard family vegetable gardens have long been common in Buffalo, but recently some residents have expressed an interest in establishing urban farms to provide fresh produce to local markets. Urban farming raises legal issues, however, because some sites that are being targeted for farming are currently zoned for residential rather than agricultural use. Safety is also a concern in some areas of the City due to past industrial use of land and the threat of soil contamination.

In addition to growing produce, some residents are seeking to raise poultry for egg production in the City and are lobbying the Council to adopt an ordinance that would allow them to do so. Opponents of such plans fear that allowing residents to raise hens or other poultry will lead to noise, unpleasant smells and unsanitary conditions that will prove to be a nuisance in Buffalo's compact neighborhoods.

The Council supports urban agriculture in Buffalo and is committed to developing policies that will encourage the availability of healthy, locally grown produce for all City residents while protecting the quality of life found in our neighborhoods. In the upcoming year, the Council intends to evaluate existing licensing and zoning ordinances to analyze their impact on urban agricultural endeavors and will consider the need to amend or supplement the City's laws in this regard.

Crack Down on Problem Delis

The City frequently receives complaints regarding health code violations and suspected criminal activity associated with deli stores. Some deli stores have been cited for selling alcohol and tobacco to minors, and others are reportedly selling products that are explicitly made for or are frequently associated with the use or sale of drugs. The visibility and availability of these items, particularly in poor neighborhoods, is often cited as a contributing factor to drug use by minors. Drug abuse has been closely correlated with a variety of crimes including domestic abuse, gang violence, theft, and destruction of property.

In years past, the Council had created a Deli Task Force to address problems associated with deli shops and their owners. Though no longer active, when the Deli Task Force was operational, it was successful in abating illegal activity in deli stores throughout the City. While many delis are well run, it is important for the City to act aggressively to address those that are not compliant in order to send a strong and clear message to residents and business owners that illegal activities will not be tolerated in the City of Buffalo.

To this end, the Council intends to pass legislation to target problem delis in the upcoming year. Specifically, the Council plans on working in coordination with the City's Departments of Police, Economic Development, Permits & Inspections, and Law to create ordinances that will prohibit the sale of drug related paraphernalia in the City of Buffalo and re-establish the City's Deli Task Force. The Council intends to strengthen the reconstituted Deli Task Force by expanding its membership to include representatives from each Council District and Police Precinct and by charging the Deli Task Force with developing legislation to create a Deli Licensing Review Board to oversee deli license issuances and renewals as well as the adjudication of certain type of deli license violations.

PUBLIC SAFETY INITIATIVES

Use Crimereports.com to Combat Crime

Despite recent strides to decrease overall crime in our City, residents continue to voice concerns about random acts of violence within their neighborhoods. As a Council, we believe that it is imperative that Buffalo continue to explore new tools and technologies that hold the potential for making our streets safer. Although the recent installation of security cameras throughout the City has been a promising step forward, many opportunities remain for the use of technology to improve its crime-fighting efforts.

One way in which the City could do this is by utilizing a website, such as Crimereports.com, which would provide the public with real-time crime data that can be accessed 24-hours a day by anyone with a computer. Such services allow residents to access a map of their neighborhood which shows the location and provides a brief description of the crimes that have been reported in that area. By providing public access to this type of critical information, neighborhood residents would be afforded an opportunity to be more proactive in protecting themselves from crime.

Members of the City's Police and Fire Departments do a tremendous job of protecting Buffalo's residents. Their jobs are dangerous however, and the City should do all that it can to equip those charged with keeping our City safe with the most up-to-date technology available. To this end, the Council requests that the City's Administration and Police Department explore ways to fund a subscription to Crimereports.com or a similar service in the City's 2009-2010 Annual Operating Budget.

Equip the Buffalo Police Department with Hand Held Tinted Window Scanners

Vehicles with illegally tinted windows pose a grave safety concern to their occupants, pedestrians and other motorists because they severely diminish visibility. Because it is difficult to see "through" such vehicles, drivers and pedestrians have little time to react to people or things that they encounter. Dark window tinting on a vehicle can also lead to illegal activities going unseen or unreported because the identity and activities of occupants are largely shielded from public view.

The New York State Department of Motor Vehicles ("NYSDMV") has attempted to combat this problem and improve motor vehicle and operator safety by publishing guidelines which specify the allowable level of window tinting for motor vehicles. Despite this information being widely available however, City residents continue to report seeing vehicles with illegally tinted windows on Buffalo's streets.

To address this problem, the Council encourages the City's Administration to allocate Drug Asset Forfeiture funds for the purchase of "Hand Held Tinted Window Scanners" for use by police officers in each of the City's police precincts. Obtaining this important technology would greatly assist law enforcement in identifying vehicles that are in violation of NYSDMV guidelines to ensure public safety and encourage greater compliance with the law.

Create a Text-a-tip Program

Often, suspected criminal behavior goes unreported to police because witnesses do not want to become involved or are afraid to come forward. In some situations, this is a result of witnesses simply not wanting to take the time to call police or visit a police station to file a report. In other cases, however, witnesses that would like to do the right thing by reporting suspicious or criminal behavior do not come forward out of fear of being subject to retaliation from the perpetrators or being labeled as a "snitch."

Over the past several years, there has been a tremendous increase in the quality, availability and affordability of electronic devices such as cellular phones, personal digital assistants ("PDAs") and laptop computers. Police Departments across the country have benefited greatly from this growth in technology through such things as radar-based traffic monitoring devices, police cruisers with on-board computers, photo-monitoring devices and global positioning systems ("GPS").

The popularity and convenience of electronic devices, along with the speed with which they can be used to communicate detailed information, could make them a valuable tool for law enforcement. This is especially true considering that, in addition to allowing the transmission of real time crime information, software can be used in conjunction with these devices which ensures the confidentiality of those who text or email.

The City of Buffalo Police Department currently utilizes technology whereby those with crime tips can call a confidential phone number to speak with an operator or leave a recorded message. The Common Council would like to see this concept applied to tips communicated by text-message and email as well.

The Common Council requests that the City's Department of Management Information Systems ("MIS"), in concert with the Buffalo Police Department, explore the creation of both "Text-a-Tip" and "Email-a-Tip" programs in order to give the public an easy and confidential way to communicate valuable crime information to police.

INTERMUNICIPAL RELATIONS INITIATIVES

Develop Initiatives to Deal with Sprawl

The "Flight to the Suburbs" has been an all-too-familiar trend in the City of Buffalo and throughout Western New York. When the population of a community is stable or decreasing, sprawl disperses existing businesses and residents over a larger area. This typically results in the need to install new infrastructure to service the movement of people and business to traditionally rural areas. This is an inefficient use of a community's limited resources because services must be spread out over a much larger geographic area and pre-existing infrastructure located in traditionally more populated areas ends up operating substantially below its capacity.

This problem is exacerbated when local governments and development agencies that offer subsidies and tax breaks to attract new businesses to their municipality instead attract businesses that are currently based in neighboring communities or elsewhere within the Western New York region. This competition is unhealthy because it pits communities that should be working together against one another and leads to a surplus of residential, retail and office space. In addition, the structures that are left behind by businesses that have relocated are often difficult to adapt to new uses and may end up being abandoned.

Urban areas such as Buffalo, where the region's population and industry have been traditionally based, have been especially hard hit by the loss of population and business. This has resulted in a smaller tax base and need for those remaining to bear an increased financial burden in terms of taxes and fees. Those people that remain in the City are on average less wealthy than those who move out to the suburbs where the homes and taxes are more costly and there are fewer public transportation options available. For this reason, sprawl has been referred to by some as a "silent discriminator."

Western New York will continue to suffer from the negative effects of sprawl unless local municipalities find a way to work together to solve this problem. Residents and businesses can ill afford to allow their local leaders to continue pursuing a “what’s best for me” approach to housing and economic development. The Common Council intends to work closely with the City’s Administration to reach out to neighboring municipalities, state and federal legislators and local business leaders to develop and support anti-sprawl legislation in Western New York. In doing so, it will be important to balance the needs of individual municipalities with the recognition that regional coordination is needed to make Western New York a more attractive place to locate for residents and businesses. In the upcoming year, the Council vows to challenge local leaders, at all levels, to work together to develop a regional solution to the problem of sprawl.

Utilize County-wide Planning

As far back as 2006, the “Erie-Niagara Framework for Regional Growth” advocated for the establishment of a county-wide planning board. This regional planning document was approved by both Erie and Niagara Counties and heavily focused on discouraging sprawl. It has been estimated that creation of a county-wide planning board could result in nearly \$800 million in savings over the next twenty-five (25) years by curbing new infrastructure projects.

Utilizing a county-wide approach to planning would enable the identification of projects that seek to extend county infrastructure or otherwise contribute to sprawl. A county-wide board is also likely to ensure that a regional perspective is provided on the projects that come before each town and city’s individual planning departments and discourage patchwork or incompatible development.

Under a proposal currently before the Erie County Legislature, town and municipal planning boards would maintain the power to approve or deny new projects. The role of the county-wide board would be to develop standards that support a comprehensive regional vision for development which could be applied to the individual needs of each village, town and city. The county-wide planning board would also be given an opportunity to review and provide comment and professional and technical expertise to supplement local planning efforts.

Today, only four counties in New York State lack a county-wide planning board, but with the support of community groups, politicians, academics and the local developers, regional planning in Erie County may soon become a reality. The Council advocates for the passage of the proposal currently before the Erie County Legislature to create a county-wide planning board or similar legislation to combat harmful sprawl and is in favor of exploring all options to bring true comprehensive planning to Buffalo and Western New York.

Restore Buffalo, NY

ReStore NY is a program sponsored by New York State to encourage economic development and neighborhood growth by providing municipalities with financial assistance for revitalization of commercial and residential properties. Revitalizing Buffalo’s existing infrastructure can lead

to reduced maintenance costs and increase property values that will aid the City in retaining and attracting individuals, families, industries, and commercial enterprises.

The availability of this funding stream presents the City with a tremendous opportunity, and this year's allocation of *ReStore NY* program funding will be the last and largest allocation in the program's three year history. In order to leverage the greatest benefit from the *ReStore NY* program, it will be critical for all branches of City government and community groups to work together to identify the most proactive, strategic and creative uses for this funding.

The Council stands ready to assist the City's administration in this regard and suggests that residential rehabilitation, deconstruction, and/or new construction to complement ongoing demolition efforts be considered of primary importance in preparing the City's funding request. In order to ensure the best use of this funding, residents and community organizations with on-the-ground knowledge of their neighborhoods must be given an opportunity to provide meaningful input into the preparation of the City's *ReStore NY* application.

Devote Appropriate Funding to Operate and Maintain City Parks

In 2004, the City of Buffalo entered into a 15-year intermunicipal agreement with the County of Erie which gave the County the responsibility for maintaining City parks. The terms of this agreement call for the City to pay the County \$1.8 Million annually with the County being entitled to keep revenues generated from park user fees. While the County is responsible for the operating and maintenance ("O&M") costs, the City is responsible for capital improvements ("capital") costs. Shortly after entering into the intermunicipal agreement, Erie County subcontracted responsibility for Olmsted-designed Parks and Parkways to the Olmsted Parks Conservancy Organization. However, numerous disputes have erupted between the County and City over O&M and capital costs, since many small problems in City Parks that should have been categorized as minor O&M repair costs were left unaddressed and worsened over time to the point where capital improvements are now needed.

Many City parks are in need of funding for projects ranging from basic repairs to broken or outdated playground equipment to the major improvements that are needed to the five-acre wading pool in Martin Luther King Jr. Park, the Casino in Cazenovia Park, and Centennial Pool in LaSalle Park. It has long been recognized that these repairs and replacements are needed, but for too long they have been put off because parks funding has not been considered a top priority.

The City is now in a stronger financial position but still has limited resources at its disposal to address its many pressing needs. The Council recognizes the need to restore Buffalo's parks, however, and intends to work with the Comptroller and the City's administration to identify funding for long overdue parks improvements. This will include an exploration of the possibility of identifying outside funding sources from public-private partnerships and coordination with other layers of government.

Expand Public Transportation Options

Many Buffalo residents do not own an automobile and primarily rely upon public transportation to get around. For the most part, public transportation within the City of Buffalo is recognized as being adequate. Access to public transportation that extends beyond Buffalo, however, is limited.

In recent years, sprawl and other factors have resulted in the areas with the highest level of job creation locally being found beyond the City's borders. This situation is especially problematic for Buffalo residents who work outside of the City and are reliant upon public transportation to reach their job. As a result of infrequent departure times and the need to make multiple transfers, those relying upon public transportation commonly face much longer travel times than those who own their own vehicles. This can negatively affect the quality of life enjoyed by riders and their families.

Working in concert with the Niagara Frontier Transit Authority ("NFTA"), the Council intends to explore the possibility of expanded Metro rail and bus service to Buffalo's suburbs in the upcoming year. Additionally, the feasibility of utilizing alternative strategies such as car-pooling and car-sharing should be studied. The Council has long been, and will continue to be, an advocate for increasing transportation options for residents of the City of Buffalo and its suburbs.

ENVIRONMENT ENHANCEMENT INITIATIVES

Establish Re-Use Programs

The City, its allied agencies and not-for-profit community based organizations are constantly in a position of being asked to do more with fewer resources. This is partially a result of greater need for certain services in the community, and partially a result of increasing costs for materials and supplies used in their course of operations. To deal with this, many have revised their policies and procedures for material and supply procurement and use.

It is an old saying that "one man's trash is another's treasure." *Buffalo ReUse* (www.buffaloreuse.com) is one organization that has taken this adage to heart. This private company offers an environmentally sound alternative to demolishing unwanted structures by "deconstructing" them instead. This allows Buffalo ReUse to salvage building materials for resale that otherwise would likely be reduced to scrap and rubble. Once materials are removed, cleaned and catalogued, they are offered for sale at prices much lower than what would be charged for a comparable new item.

This is an intriguing model that the City might be able to adapt not only for demolition work, but other areas in which materials and supplies that have not yet exceeded their useful life are being discarded as well. It is common for people and businesses to discard excess, unwanted or even unused materials as trash. Often, discarded items exhibit some wear and tear but have significant time left in their useful life. Finding a way to re-use such materials would allow

the City, its allied agencies and community based organizations to lessen their procurement costs and free up money for additional programming.

In some situations, reuse may be as simple as identifying another party that that could use an unwanted item. At other times, more creativity and vision is needed. For example, header and footer information can be trimmed from sheets of paper to create message pads and the unused side of paper could be donated to community based organizations for use in their programming for children and seniors.

The Council urges the City's Administration to work with all City Departments, allied organizations and local businesses to find creative ways to capture and reuse excess materials and supplies. Participation in a re-use program could be incentivized by marketing it as an opportunity for individuals and businesses to make a philanthropic difference in their community while receiving the benefit of being able to avail themselves of a charitable tax deduction in accordance with federal and state taxation guidelines.

Add Composting to City Recycling Efforts

Composting involves separating out organic waste, such as leaves, vegetable and manure, from other refuse and allowing it to decay for later use as a fertilizer that improves soil structure and provides the nutrients that plants need to thrive. The addition of compost can regenerate poor soil by encouraging the growth of beneficial bacteria and fungi, which break down organic matter and increase the ability of soil to retain moisture. Composting also conserves resources, helps to suppress plant diseases and pests, promotes higher crop yields, and reduces or eliminates the need for environmentally damaging chemical fertilizers.

By all reports, cities that have instituted robust recycling programs that include composting have seen economic and environmental benefits that easily justify the costs involved in launching and maintaining these programs. Cities such as Toronto, Ontario, and Berkley, California, have seen a dramatic decrease in the amount of garbage they direct to landfills since making food composting a part of their regular weekly garbage collection activities. Separating out organic material from other types of garbage allows for the secondary use of these materials for things such as mulch, topsoil, seed starting mix, and "compost tea," a liquid compost used for watering plants. In the State of California, free workshops are offered to teach residents, schools, clubs and neighborhood associations about the benefits of composting and how the process works.

As part of the City's continued review of its recycling policies, the Council urges the Administration to devote resources to encourage residents to begin composting of yard waste, food scraps, and other organic materials. The City has received recycling revenues of over \$100,000, a portion of which has already been earmarked for marketing and education efforts relating to recycling. A percentage of this funding could be directed towards launching a new campaign with the goal of increasing awareness and educating residents and businesses on the benefits of composting. This initiative would likely produce new revenues, decrease the amount of garbage that is sent to landfills, and lessen the impact of chemicals on our urban environment.

Incorporate LEED & Energy Star Standards

While the cost of buying a home or renting an apartment in Buffalo is extremely affordable by national standards, City residents pay some of the highest energy prices in the nation. High energy costs are particularly burdensome on those of lesser incomes, many of whom rent because they cannot afford to own a home. A recent study showed that approximately 42% of renters in Buffalo spend around 30% of their income on payment of home utility bills.

Homes can be made more affordable by building or adapting them to meet *Leadership in Energy and Environmental Design* (“LEED”) certification and/or *Energy Star* energy efficiency standards. Homes that comply with these standards use less energy and have lower utility bills. Energy efficiency standards also benefit the environment because they lead to decreased pollution and conserve natural resources. In recognition of this, the Council intends to take several steps to increase the energy efficiency of Buffalo’s housing stock.

The Council seeks to incorporate a “Green Affordable Housing Fund” into the next five-year Consolidated Plan that is developed for the City. It is envisioned that this fund would provide grants and loans to encourage energy efficient affordable housing and could be funded through a portion of the City’s accumulated fund balance or using federal or state grants monies. The Council also plans to pass legislation that will amend City regulations so as to incentivize compliance with “LEED” standards through grant awards, require that all new homes in the City of Buffalo utilize energy efficient products and employ Energy Star practices, and require landlords to disclose to prospective tenants information regarding an apartment’s energy consumption. This landlord disclosure requirement is intended to encourage landlords to make energy efficient repairs that will result in utility cost savings for their tenants.

Create a Holistic Waterfront Development Plan

Although our long, freshwater coastline is perhaps Buffalo’s greatest asset, for many years this area of the City has been underdeveloped. Despite decades of inaction, however, in recent years there has been a renewed sense of urgency among politicians, developers and City residents to unlock the world-class potential of Buffalo’s waterfront. Evidence of this can be seen in several projects on the water’s edge including completion of Phase II of the Preferred Master Plan for the Erie Canal Harbor, the construction of the Waterfront Place Condominiums, and significant progress being made to further develop the Erie Basin Marina. The acquisition of the former Cargill Inc. parcel on the Outer Harbor by the Erie Canal Harbor Development Corp. (“ECHDC”) is also contributing to this momentum.

Various segments of Buffalo’s waterfront, however, still remain under the jurisdiction of a patchwork of different governmental agencies and development authorities. This has proved to be a major impediment to ensuring that a unified, comprehensive vision is realized for the waterfront. Efforts have been made to unify ownership of certain parcels, including negotiations between the Niagara Frontier Transportation Authority (“NFTA”) and ECHDC to transfer ownership and control of the NFTA’s Outer Harbor property to ECHDC, but these talks have reportedly stalled.

While the different organizations that control parcels on Buffalo's waterfront appear to be unanimously in favor of developing a true "destination" waterfront, there is presently no mechanism in place to make sure that the individual plans proposed or being pursued for each parcel will complement one another, be compatible with each other, or enhance any overall vision for the waterfront as a whole.

The Council recognizes the need for a coordinated, holistic approach to planning and developing the City's waterfront in order to unlock this area's vast potential, and encourages increased dialogue between all stakeholders. In particular, the Council urges the NFTA and ECHDC to find a way to quickly resolve their differences so that strategic property on the Outer Harbor can be developed for the benefit of the entire community.

CITIZEN PARTICIPATION INITIATIVES

Allow Voters to Consider Adopting a Nonpartisan System of Elections

Many cities nationwide employ an election system known as nonpartisan elections, in which political parties have no official role in the elections process. Under a nonpartisan system, neither the political party that a candidate belongs to, nor those that they are endorsed by, appear anywhere on the election ballot. Additionally, in nonpartisan primary elections, there are no restrictions on eligible candidates or eligible voters based upon party membership. All registered voters are eligible to vote in nonpartisan primary elections, and the candidates who appear on the ballot may be members of any political party or no political party at all.

Although nonpartisan election systems have their share of critics, many claim that nonpartisan elections are more likely to result in the election of the candidate with the best ideas, rather than the candidate that is endorsed by the political party with the largest number of registered voters. In addition, proponents of nonpartisan elections claim that they are likely to result in a wider selection of viewpoints and candidates being on the ballot when compared to a partisan election scheme as is currently employed in the City of Buffalo.

In 2008, the Council unanimously approved a resolution directing that all necessary steps be taken to ensure that the voters of the City of Buffalo are given the option of adopting a nonpartisan system for the election of candidates to City-wide elected offices. The Council remains firmly committed to a course of action which will put this matter directly before the City's voters this year through a referendum.

Expand the Formal Role of Good Neighbors' Planning Alliances

Experience has shown that, in order for a development project to be successful, it is crucial for residents who will be affected by the project to be involved early, and often, in the planning process. This dialogue with the public should remain open throughout the lifecycle of a project and should not be prematurely concluded once planning is finalized or construction commences.

The mechanism currently employed by the City of Buffalo to ensure community input into its planning processes relies upon coordination with neighborhood based groups referred to as Good Neighbors' Planning Alliances ("GNPAs"). As part of the City's ongoing Comprehensive Planning Efforts, GNPAs have been given a formal role in involving citizens in the creation of community-based action plans that will be used to chart the future direction of their neighborhoods.

Legislation is currently before the Council for consideration that would compel developers to furnish project plans to the appropriate Good Neighbors' Planning Alliance for comment to ensure that their recommendations are being followed. The Council advocates for an expanded role for Good Neighbors' Planning Alliances to ensure that the projects which the City undertakes truly reflect the vision and needs of its neighborhood residents.

Publish all City Contracts Online for Public Review

The City of Buffalo's contracting processes has been criticized by many for being unclear and lacking central organization and transparency. It is critical for the City of Buffalo to maintain public confidence in the integrity of its bidding processes and the way that tax dollars are being spent.

A cost effective and convenient way in which the City could increase the transparency of its contracts is by making these documents accessible online using the City of Buffalo website. The City already provides the public with the opportunity to read and download many other types of documents using its website and extending this functionality to contracts is unlikely to be cost or manpower prohibitive.

The Council intends to work with the City's Administration, Departments of Law and Management Information Services ("MIS"), and allied agencies to create a publicly accessible database for all contracts to ensure greater transparency in City government.

Explore Reform Measures for COB Employees

Some have alleged that City of Buffalo employees are being pressured to participate in political activities such as donating their time or money to political campaigns and political parties. Those that are being pressured, it is claimed, are afraid to come forward to tell their stories out of fear of losing their jobs or being punished. Others claim that there is no evidence to support assertions that City employees are being politically coerced, and argue that statistics indicating a high frequency of political involvement among employees is because those who pursue careers in the government are more inclined to be politically active.

Many governmental units have put policies in place that are designed to protect their employees from being subjected to unwanted political pressure, most notably, the Federal Government's passing of the "Hatch Act."

The Council maintains that the City should be proactive in ensuring that its employees are not subjected to unwanted political pressure, and intends to examine reform measures to achieve this goal. In doing so, the Council is cognizant of the need to be careful not to unreasonably impede the constitutional rights of those who desire to be politically active. Among the solutions that have been, and will continue to be, discussed are the passage of an ordinance to place limits on the political activity of non-appointed City employees, the adoption of a nonpartisan system of elections for all City-wide offices, and the adoption of a Council-manager form of City government.

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

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

www.city-buffalo.com

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