#### ALL MEMBERS PRESENT.

1. RESOLVED, that the following items are hereby received and filed.

Item Page -2003 (Intro. 8-3)

a. **MINORITY CAUCUS:** Calling for 2003-04 ECC Pre-Budget Discussion. (5-0)

Item Page -2003 (Comm. 10D-3)

b. **ECC:** 2003-2004 ECC Budget.

(5-0)

Item Page -2003 (Comm. 10D-11)

c. **ECC:** Amended Salaries for ECC 2003-04 Budget Submission. (5-0)

Item Page -2003 (Comm. 11E-2)

d. **CUSACK:** 2003-2004 ECC Budget Approval Process.

(5-0)

Item Page -2003 (Comm. 11E-4)

e. **COUNTY EXECUTIVE:** ECC Budget for 2003-2004 – Extension of Filing Deadline. (5-0)

Item Page -2003 (Comm. 11E-9)

- f. **CUSACK:** 2003-2004 ECC Budget Approval Process Extension. (5-0)
- 2. Item Page -2003 (Comm. 13E-27)

## **COUNTY EXECUTIVE**

**WHEREAS,** the Buffalo Zoo is one of Erie County's major cultural resources, and it is anticipated the Zoo will become a major regional and binational cultural tourism attraction in the next several years, based on a Master Plan which is now in the process of being implemented for a cost approximating \$75 million; and

WHEREAS, the Sea Lion/River Otter Exhibit at the Buffalo Zoo is the first attraction that will adhere to the Zoo's Master Plan theme focusing on water, and this exhibit was planned in conjunction with mandated upgrades to the Zoo as required by the American Zoo and Aquarium Association (AZA), and as a result of the AZA's comments concerning the site for this exhibit, the Zoo decided to combine two separate exhibits, sea lions and river otters, into one larger construction project, and by doing such the Zoo could utilize a single holding building for both these aquatic mammal species; and

**WHEREAS**, much of the private sector support for this \$5.7 million project has already been committed, but there is a critical need for an additional \$3.25 million in order for construction to

start up in August 2003, otherwise costly delays will result that could negatively impact this exhibit and subsequent phases of Master Plan implementation; and

WHEREAS, New York State recently cleared this project for construction as a result of the State Environmental Quality Review (SEQR) process and, in addition, New York State may reimburse Erie County for up to \$2 million of the costs for the Sea Lion/River Otter Exhibit,

## NOW, THEREFORE, BE IT

**RESOLVED,** that the County Executive is hereby authorized to enter into the necessary agreements with the Buffalo Zoological Society, the State of New York, and the City of Buffalo, as appropriate, in order for the County to provide a grant in the amount of \$3.25 million for the Sea Lion/River Otter Exhibit at the Buffalo Zoo, and to obtain reimbursement in the event of State funding; and be it further

**RESOLVED,** that the Erie County 2003 Capital Budget is hereby amended to establish the Buffalo Zoo Sea Lion/River Otter Exhibit Capital Project in the amount of \$3.25 million; and be it further

**RESOLVED**, that the source of funding for this project shall be \$3.25 million in available funds from Tobacco Trust Fund Proceeds; and be it further

**RESOLVED,** that the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive, the County Comptroller, the Commissioner of the Department of Environment and Planning, the Director of the Division of Budget, Management and Finance, Hon. Anthony M. Masiello, Mayor, City of Buffalo, City Hall, 65 Niagara Square, Buffalo, New York 14202; and Donna Fernandes, President of the Buffalo Zoo, 300 Parkside Avenue, Buffalo, New York 14214. (5-0)

3. Item Page -2003 (Comm. 13E-66)
COUNTY EXECUTIVE
WHEREAS, Gallagher Beach represents a valuable waterfront asset; and

**WHEREAS,** recent Phase I improvements to said Beach have created an important public access point along the Outer Harbor recreation corridor; and

**WHEREAS,** the Niagara Frontier Transportation Authority (NFTA) wishes to undertake Phase II improvements that will include bike trails, sidewalks, landscaped areas, parking and other amenities to the Dike Area immediately north of the Phase I section; and

**WHEREAS,** said Phase II improvements will require a shared funding commitment from the State of New York, the City of Buffalo and County of Erie,

## NOW, THEREFORE, BE IT

**RESOLVED,** that the Erie County Executive shall execute all required agreements necessary to effectuate the transfer of \$300,000 to the NFTA; and be it further

**RESOLVED**, that the sum of \$300,000 is hereby transferred from the Regionalism/Economic Development Fund (DAC 110 9043038301299) to a new sub-account for this purpose under Agency Payments monitored by the Department of Environment and Planning, General Fund 110, Project 922, Department 302, Account 830; and be it further

**RESOLVED,** that the Clerk of the Legislature be directed to send certified copies of this resolution shall be forwarded to the Director of the Division of Budget, Management, and Finance, the Commissioner of the Department of Environment and Planning, and the County Comptroller. (5-0)

# 4. Item Page -2003 (Comm. 13E-68) COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Parks, Recreation & Forestry is in need of funds to cover expenses associated with additional recreational events, such as the Wendt Beach Summerfest and the Ellicott Creek Park Ribbon Regatta for the year 2003, and

WHEREAS, the Erie County Department of Parks, Recreation and Forestry successfully held these events in 2002 due to a Legislative Resolution which transferred funds to the Division of Recreation Budget.

#### NOW, THEREFORE, BE IT

RESOLVED, that funds in the amount of \$15,000 are hereby transferred from the 1995 Contingency Fund Balance, (DAC 11092331029010001995), to the Division of Recreation's budget accounts as follows:

<u>Amount</u>	DAC	<u>Account</u>
\$ 500	110943641811	Recreational Supplies
\$ 400	110943641812	Food/Kitchen Supplies
\$ 400	110943641822	Rental
\$ 500	110943641824	Local Mileage
\$ 9,700	110943641826	Other Expenses
\$ 3,500	110943641830	Contractual Fees
\$ 15,000	Total	

and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the Department of Parks, Recreation and Forestry, the Office of the Comptroller, and the Division of Budget, Management and Finance. (5-0)

## ELISE M. CUSACK CHAIRPERSON