

RESOLUTION

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant the Governor's Executive Order 202.1 issued on March 12, 2020 suspending the Open Meetings Law, as extended on September 2, 2021, the City of Syracuse Industrial Development Agency (the "**Agency**") held a meeting on the 18th day of January, 2022, at 8:00 a.m., local time, electronically which was made available via Webex at: <https://syrgov.webex.com/syrgov/j.php?MTID=m51fc952b52f12c638cb14009303a5c56> (or by accessing the link on the Agency's website) and using meeting number 2345 369 3068 and password wmJTsQAq264; or via telephone at (408) 418-9388 with access code: 2345 369 3068, in conjunction with the matter set forth below.

The meeting was called to order by the Chair and upon the roll being duly called, the following members were:

MEMBERS PRESENT VIA TELE/VIDEOCONFERENCE (in accordance with the Governor's Executive Order 202.1): Kathleen Murphy, Steven Thompson, Rickey T. Brown, Kenneth Kinsey and Dirk Sonneborn

THE FOLLOWING PERSONS WERE ALSO PRESENT VIA TELE/VIDEOCONFERENCE (in accordance with the Governor's Executive Order 202.1): Staff Present: Judith DeLaney, Susan Katzoff, Esq. and Lori McRobbie; Others Present: Christopher Bianchi, Michael Collins, Aimee Durfee, Jessica Barbuto

The following resolution was offered by Dirk Sonneborn and seconded by Steven Thompson:

RESOLUTION AUTHORIZING THE AGENCY TO UNDERTAKE A PROJECT AND TO ENTER INTO AN AGREEMENT WITH THE CITY AND TO ALLOCATE CERTAIN FUNDS IN SUPPORT THEREOF

WHEREAS, the City of Syracuse Industrial Development Agency (the "**Agency**") is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the "**Act**"), to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, for the purpose of promoting economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to grant "financial assistance" (as defined in the Act) in connection with the acquisition, reconstruction and equipping of one or more "projects" (as defined in the Act); and

WHEREAS, the Agency has identified a need to enhance opportunities to foster its corporate purposes of advancing job opportunities, health, general prosperity and economic welfare of the people of the State and the residents of the City of Syracuse, New York (the "**City**"); and

WHEREAS, the City has been working in partnership with the Syracuse Housing Authority, Blueprint 15 and the Master Development Team of McCormack Baron Salazar, Urban Strategies, Inc. and Urban Design Associates (collectively, the "**Partners**") to undertake the renovation and redevelopment of a 118 acre neighborhood abutting I-81 including the 15th Ward to consist of 606 newly constructed affordable and market rate housing units, mixed-use buildings, new street and site designs that will create a more sustainable and walkable neighborhood and a variety of other amenities to create a neighborhood of opportunity and economic mobility (the "**Transformation Project**"); and

WHEREAS, to successfully undertake and complete the Transformation Project, the City, in conjunction with its Partners, has identified a potential funding source through the US Department of Housing and Urban Development ("**HUD**") Choice Neighborhood Initiative Grant Program ("**CNI**"); and

WHEREAS, successful applicants to CNI's grant program are provided a \$50 million grant to support the applicant's project (the "**Award**") which is required to be implemented within a six-year performance period commencing in or about September 2022 for completion in or about September 2028; and

WHEREAS, the City will take lead, with SHA as a co-applicant, on the filing of a CNI application. If the City is successful in its application, the \$50 million Award will be leveraged by over \$450 million in private, public and philanthropic support; and

WHEREAS, as part of the Transformation Plan, Award proceeds will fill gaps in key economic development projects including façade improvements and small business assistance for the anticipated new first-floor commercial space within the redevelopment as well as a new approximately 58,000 square foot neighborhood center to include: 1) an Early Learning Center in the footprint to have best-in-class childcare available with operational hours that best meet the needs of working parents; 2) a "play space" for children and caregivers focusing on children 0-6 years old with age appropriate and facilitated play areas; and 3) a health and wellness facility with equipment and programs targeted to individuals and families of all ages for year-round access to high quality exercise and other wellness services; and

WHEREAS, applications to the CNI grant program (the "**Grant Application**") are due on or before February 15, 2022 and the cost associated with the preparation and submission of the application, which includes a market study compilation, environmental reviews, amenity elevations and site plans, as well as the writing and coordinating of the proposal, totals approximately \$170,000. The City is requesting that the Agency contribute 50% of the total cost associated with the preparation and submission of the Grant Application up to a maximum of \$85,000 (the "**Funding**"); and

WHEREAS, the Agency believes that by providing the Funding, the Agency will aid the City in the submission of the Grant Application which, if successful, will act as a springboard to the implementation of the \$500 million plus Transformation Plan which will enhance and leverage benefits provided by the Agency to various projects, act as a catalyst to additional economic development in the area and further the Agency's mission of advancing job opportunities, health, general prosperity and economic welfare of the residents of the City (collectively, the "**Project**"); and

WHEREAS, the City has agreed, in exchange for the Agency undertaking the Project and providing the Funding, to provide the Agency with regularly progress reports with respect to the preparation, completion and submission of the CNI Grant Application as well as all resulting feedback from HUD and/or the CNI process. In addition, the City will notify the Agency of any award notices from HUD. Final award announcements are expected later in 2022. The City will ensure that the Agency is kept apprised of the process throughout; and, assuming an Award, the City will provide the Agency with an annual report on the status of the Transformation Plan and the use of the Award proceeds; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "**SEQRA**"), the Agency is required to make a determination as to whether the "action" (as said quoted term is defined in SEQRA) to be taken by the Agency may have a "significant impact on the environment" (as said quoted term is utilized in SEQRA). The Agency has classified the Project as a "Type II" action as that term is defined under SEQRA, and therefore no further review is required.

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency, as follows:

Section 1. Based upon the representations made to the Agency, the Agency makes the following findings and determinations:

(A) The action authorized pursuant to this Resolution constitutes a Type II action under SEQRA and no further review is required; and

(B) The Agency has determined that the Project will provide a benefit which will foster and improve promote economic development and provide opportunities to improve prosperity and the standard of living for the residents of the City; and

(C) The Agency authorizes and approves the Funding as set forth herein contingent upon the Agency and City negotiating, executing and delivering an agreement setting forth the terms and conditions of such award as set forth in this Resolution (the "**Agreement**"); and

(D) The Executive Director of the Agency is hereby authorized, on behalf of the Agency, to negotiate, execute and deliver the Agreement, in in accordance with the terms

hereof, and expend the Funding in accordance with the terms hereof and the Agreement, with changes in terms and form as shall be consistent with this Resolution and as the Chair or Vice Chair shall approve; and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution. The execution thereof by the Executive Director shall constitute conclusive evidence of such approval.

Section 2. Should any court of competent jurisdiction determine that the Agency is not authorized under the Act to participate in the Funding or the Agreement, this Resolution shall automatically become null, void and of no further force and effect.

Section 3. No covenant, stipulation, obligation or agreement contained in this resolution or any document referred to above shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

Section 4. Bousquet Holstein, PLLC is counsel to the Agency and shall assist the Agency in carrying out the actions necessary pursuant hereto.

Section 5. A copy of this Resolution shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

Section 6. The Secretary of the Agency is hereby authorized to and may distribute copies of this Resolution and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 7. This Resolution shall take effect immediately. A copy of this Resolution shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

	<u>AYE</u>	<u>NAY</u>
Kathleen Murphy	X	
Steven Thompson	X	
Rickey T. Brown	X	
Kenneth Kinsey	X	
Dirk Sonneborn	X	

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
COUNTY OF ONONDAGA) SS:

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the "**Agency**") held on January 18, 2022, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that: (i) all members of the Agency had due notice of such meeting; (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), as temporarily amended by Executive Order 202.1 issued on March 12, 2020 ("**EO 202.1**"), as amended and extended from time to time, such meeting was open to the general public and public notice of the time and how to participate in such meeting was duly given in accordance with such Section 104 and EO 202.1; (iii) the meeting was in all respects duly held; and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency on 1/25/2022.

City of Syracuse Industrial Development Agency

DocuSigned by:

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Rickey T. Brown, Secretary

(SEAL)