RESOLUTION

A regular meeting of the City of Syracuse Industrial Development Agency was convened in public session on October 15, 2019 at 8:30 a.m. in the Common Council's Chambers, 233 East Washington Street, Syracuse, New York.

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

PRESENT: Michael Frame, Steven Thompson, Kathleen Murphy, Rickey T. Brown, Kenneth Kinsey

THE FOLLOWING PERSONS WERE ALSO PRESENT: Staff Present: Judith DeLaney, Susan Katzoff, Esq., John Vavonese, Lori McRobbie; Others Present: Joseph M. Marusa, Stephanie Pasquale, Jacob Waldron, Eric Ennis, Aggie Lane, Merike Treier, Timothy Lynn, Esq., Jake Dishaw, Jeremy Cali, Tom Douglas; Media Present: Rick Moriarty

The following Resolution was offered by Rickey T. Brown and seconded by Kenneth Kinsey:

RESOLUTION AUTHORIZING THE AGENCY TO UNDERTAKE A PROJECT AND TO NEGOTIATE, EXECUTE AND DELIVER A CONTRACT WITH THE DOWNTOWN COMMITTEE OF SYRACUSE IN FURTHERANCE 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, the Agency has identified a need to enhance its ability to provide economic development resources in the downtown area of the City (as defined herein) to increase economic development for the benefit of commercial enterprises (both existing and prospective) and the recreation opportunities, prosperity and standard of living for the residents of the City of Syracuse, New York (the "***City***"); and

WHEREAS, Downtown Committee of Syracuse ("***DCS***") is a nonprofit organization, which undertakes programs to improve the City of Syracuse's downtown's image, strengthen its economic base, increase its attractiveness and assure that it's clean, safe and accessible. The DCS is at the nexus of the public and private partnership that brings about improvement and

revitalization. The DCS' mission supports and furthers the Agency's purposes of promoting economic development, providing residents opportunities to thrive as business owners and to improving the recreation opportunities, prosperity and standard of living for the residents of the City of Syracuse; and

WHEREAS, by resolutions adopted June 20, 2017 and September 19, 2017, the Agency resolved to undertake a project (the "***Original Project***") consisting of contracting with DCS to obtain within the downtown metropolitan area of the City (the "***Contract***") the following services for a two (2) year period: (A)(i) forty hours (40) per week of additional evening security patrols Monday - Friday between 4p.m. - 12:00 a.m. ("***Weekday Services***"); (ii) twenty-eight (28) hours per week of additional security patrols on Saturday between 1la.m. - 7p.m. and on Sunday between l0a.m. - 4p.m. ("***Weekend Services***"); (iii) performance of environmental maintenance and improvements to be conducted on Saturday -Sunday from 7a.m. - 3p.m. ("***Environmental Maintenance Services***" and together with Weekday Services and Weekend Services, collectively, the "***Acquired Services***"); and (iv) the installation of security cameras at various locations (the "***Acquired Equipment***" and together with the Acquired Services, collectively the "***Services***"), all of which will supplement these services currently being provided but not sufficient to achieve the Agency's goals as set forth herein; and (B)(i) the Weekday Services and such necessary expenses related thereto, including but not limited to uniforms, ammunition, fees for certification and costs associated with an increase in DCS' worker's compensation insurance ("***Patrol Expenses***"), shall be a total cost of $62,000/year; (ii) the Weekend Services and Patrol Expenses shall be a total cost of $51;000/year; (iii) the Environmental Maintenance Services shall be a total cost of $30,000/year ((i) - (iii) hereof collectively, the "***Service Expenses***"); and (iv) the Acquired Equipment shall be a total cost of no more than $73,000/year plus such necessary expenses related thereto, including but not limited to, installation, maintenance and repairs of such Acquired Equipment (collectively, the "***Equipment Expenses***") at an annual cost of no more than $1,500/year; and

WHEREAS, DCS is now requesting the Agency consider a new project (the "***Project***") consisting of contracting with DCS for an additional two (2) years of services within the downtown metropolitan area of the City (the "***Contract***") consisting of the following: (i) a typical forty hour per week of additional evening security patrols performed during the hours of 4-11 p.m. Monday through Friday for a total cost of $63,860/year; (ii) twenty-eight hours per week of additional security patrols on Saturday between 11 a.m. - 7 p.m. and on Sundays between 10 a.m. - 4 p.m. for a total cost of $52,600/year; and (iii) performance of environmental maintenance and improvements to be conducted on Saturday and Sunday from 7 a.m. - 3 p.m. for a total cost of $30,000/year for an aggregate annual spend of $146,460 for a contract total of $292,920 ("***New Funding***"); and

WHEREAS, the Project will enhance and support other investments made by SIDA and project developers in the City and further the Agency's purposes of promoting economic development, providing residents opportunities to thrive as business owners and to improving the recreation opportunities, prosperity, health and standard of living for the residents of the City of Syracuse; and

WHEREAS, DCS has advised that going forward they will be seeking a budgetary increase from the City to cover the costs of these services; 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 execution and delivery of the Contract 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 further the Agency's policies and will advance the health, general prosperity and economic welfare of the people of the State and the City; and

(C) The Agency authorizes and approves the Project and the expenditure of the New Funding as set forth herein contingent upon the Agency and DCS negotiating, executing and delivering the Contract for the services set forth herein in accordance with the terms of this Resolution; and

(D) The Executive Director of the Agency is hereby authorized, on behalf of the Agency, to negotiate, execute and deliver the Contract, upon review and advice of counsel, and expend the New Funding to undertake the Project, with changes in terms and form as shall be consistent with this Resolution and similar with prior similar agreements; 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 Contract, 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. 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 5. 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 6. This Resolution shall take effect immediately.

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

	AYE	NAY
Michael Frame	X	
Steven Thompson	X	
Kathleen Murphy	X	
Kenneth Kinsey	X	
Rickey T. Brown	X	

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) **SS.:**
COUNTY OF ONONDAGA)

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 October 15, 2019, 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), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (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 this 26 day of November, 2019.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

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