

City of Albany Industrial Development Agency

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Tracy Metzger, *Chair*
Susan Pedo, *Vice Chair*
Darius Shahinfar, *Treasurer*
Lee Eck, *Secretary*
Dominick Calsolaro
Robert Schofield

Sarah Reginelli, *Chief Executive Officer*
Mark Opalka, *Chief Financial Officer*
Marisa Franchini, *Agency Counsel*

IDA MINUTES OF THE REGULAR BOARD MEETING June 18, 2020 at 12:15 p.m.

- Attending: Tracy Metzger, Susan Pedo, Robert Schofield, Dominick Calsolaro, Lee Eck and Darius Shahinfar
- Absent: None
- Public Present: Melissa Zell and Elizabeth Young Jojo.
- Also Present: Sarah Reginelli, Amy Lavine, Joe Scott, Andy Corcione, Mark Opalka, Virginia Rawlins, Mike Bohne, Ashley Mohl, Thomas Conoscenti, Sarah Horne, Richard Weisz, Virginia Rawlins and Tammie Fanfa

These minutes are of a meeting conducted telephonically pursuant to Executive Order No. 202.1 issued by New York State Governor Andrew M. Cuomo, which suspended provisions of Article 7 of the Public Officers Law requiring public in-person access to public meetings and authorizing board members to participate in said meetings by conference call or similar service. Each of the members and staff present participated by conference/video call.

Chair Tracy Metzger called the Regular Meeting of the IDA to order at 12:17 p.m.

Roll Call, Reading and Approval of Minutes of the May 21, 2020 Board Meeting

Chair Metzger conducted a roll call of Board members establishing that all members were present. Since the minutes of the previous meeting had been distributed to Board members in advance for review, Chair Metzger made a proposal to dispense with the reading of the minutes and to approve the minutes of the regular Board meeting of May 21, 2020 as presented. A motion to accept the minutes, with suggested amendments, was made Darius Shahinfar and seconded by Dominick Calsolaro.

New Business

16 Sheridan Avenue, LLC

Staff presented the Board with background relating to the 16 Sheridan Avenue LLC Project. The Project, is a mixed-use project that closed with the IDA in 2019. The Project consisted of the renovation of 12,000 sq. ft. of vacant space into 130 apartments and 3,500 ft. of retail space. The project consisted of a \$21.5 million investment and created 130 construction jobs and 12 permanent jobs. The developer of the project is seeking a Consent to Mortgage for their permanent financing. No additional assistance is being sought from the Agency and the request is strictly administrative in nature. A motion to approve the *Resolution Authorizing the Consent to Mortgage* was made by Darius Shahinfar and seconded by Dominick Calsolaro. A vote being taking, the motion passed with all members voting aye to adopt the resolution.

FC 705 Broadway, LLC/705 Broadway Hotel, LLC

Staff presented the Board with background relating to the FC 705 Broadway, LLC/ 705 Broadway Hotel LLC project, approved in June, 2019 and currently under construction. The Project approval consisted of the construction of an 8 story, approximately 132 room hotel. The project represents a \$30 million investment and is estimated to create 100 construction jobs and 25 permanent jobs. The project developer is seeking to extend the Sales Tax exemption certificate through December 2020 and to extend the Agency Approving Documents through June 20, 2021.

Ms. Zell was present during the meeting to represent FC 705 Broadway LLC/ 705 Broadway Hotel LLC. Ms. Zell informed the Board that their investors fell out of the project, however potential investors were being vetted on a regular basis. Although the project has recently faced difficulties, Ms. Zell expects to meet the new timetables set forth by the resolutions presented to the Board. The Board discussed the request and the importance of the site.

Staff presented two resolutions to the Board. A motion to accept the *Resolution Approving Extension of Approval Resolution* until June 20, 2021 was made by Susan Pedo and seconded by Darius Shahinfar. A vote being taken, motion passed with all members voting aye. A motion to accept the *Resolution Extending Agent Appointment Term & Authorizing Amendment to Interim Documents to December 2020* was made by Darius Shahinfar and seconded by Susan Pedo. A vote being taken, motion passes with all members voting aye.

Capitalize Albany Corporation (Liberty Park Acquisition Assistance) – Minutes provided by Hodgson Russ.

Chair Metzger asked Joe Scott to report on the status of the matter. Mr. Scott noted that the action items for consideration by the board was the selection of an appraisal firm and the approval of a funding agreement with Capitalize Albany Corporation.

Capitalize Albany Corporation staff and Board Member Susan Pedo left the meeting at 12:26 p.m.

Chair Metzger then asked for a motion to go into Executive Session to consider the financial and employment history of the potential candidates and to have an attorney/client discussion with Agency counsel.

The Board entered executive session to discuss potential litigation and the financial status of an organization at 12:30 p.m. on a motion by Lee Eck and a second by Darius Shahinfar with all members voting aye.

A motion to come out of Executive Session was made by Mr. Shahinfar and seconded by Mr. Eck. The motion was adopted unanimously. At 12:50 the Agency came out of Executive Session. Robert Schofield left the meeting. Capitalize Albany Corporation staff and Board Member Susan Pedo returned to the meeting.

No action was taken during the Executive Session.

Chair Metzger then asked for a resolution to retain an appraiser for the Liberty Park matter. After discussion by the board, a resolution was then moved by Mr. Shahinfar and seconded by Mr. Eck to appoint Hafner Valuation Group, Inc. as the appraiser, with the terms outlined in their proposal. The motion was adopted unanimously. Agency Counsel was directed to move forward to finalize a contract and proceed with the appraisal of the subject parcels.

Chair Metzger then asked for a resolution to approve the Funding Agreement for the Liberty Park matter. After discussion by the board, a resolution was then moved by Mr. Shahinfar and seconded by Mr. Eck to approve the draft Funding Agreement. The motion was adopted unanimously.

Other Business

Agency Update

Staff informed the Board that the Governor has signed legislation within the previous 24 hours that authorizes IDAs to establish a State Disaster Emergency Loan Program to make loans to small businesses and not-for-profits to support COVID-19 relief efforts and to make grants to purchase personal protective equipment (PPE) and to install fixtures.

Per previous conversations with the Board and Finance Committee, staff proposed an initial grant program up to \$10,000 for small businesses with less than 50 employees. Applicable uses for the IDA funds per the legislation include the purchase of PPE and the installation of fixtures necessary to prevent the spread of COVID-19. The program proposal would prioritize MWBE's, veteran owned businesses and businesses owned by or employing low to moderate income individuals. The program would be operated on a reimbursement basis for documented expenses occurring after the individual awards were approved. All grant approvals would be deliberated on and voted on by the Board.

Staff noted that Capitalize Albany Corp. has the capacity and is willing to administer the program – both intake and monitoring – for a five percent administrative fee. Staff described additional local funding through the Community


Development Block Grant (CDBG) to be administered by Capitalize Albany and able to be leveraged by the CAIDA program. Although not finalized, it is expected that the CDBG funding can be used for expanding the assistance available to local businesses, which would include the purchase of furniture, fixtures and equipment for implementing social distancing, compliance with current health and safety guidance and adapting business models for success in a COVID-19 environment. In order to ease the burden on the applicant, the CAIDA grants and CDBG grants will appear as one program with a shared application and guidelines, however administratively, the funding sources would be strictly distinct and adhere to New York State and Federal guidelines respectively. Draft guidelines are being prepared for the Small Business Adaptation Program, and staff is holding them in draft form in order to incorporate any pending guidance from the ABO, OSC or the State Legislature.

Staff informed the Board the expected launch of the program would be in July. A \$250,000 initial investment into the grant program was recommended by staff based on a review of IDA finances and standard practice of holding an operating reserve. The Board discussed the proposed grant program, including the potential for alternative administration. A motion was made to authorize the program and its administration by Capitalize Albany Corporation by Dominick Calsolaro and seconded by Darius Shahinfar. Susan Pedo abstained from the vote as a board member of Capitalize Albany Corporation. A vote being taken, motion passes with all remaining members voting aye.

There being no further business, Chair Metzger adjourned the meeting at 1:08 p.m.

Respectfully submitted,

DocuSigned by:



Lee Eck, Secretary