

RESOLUTION

A regular meeting of the City of Syracuse Industrial Development Agency was convened in public session on January 23, 2024 at 8:00 a.m. in the Common Council's Chambers, City Hall, 233 East Washington Street, Syracuse, New York.

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

PRESENT: Kathleen Murphy, Kenneth Kinsey, Steven Thompson, Dirk Sonneborn, Rickey T. Brown

THE FOLLOWING PERSONS WERE ALSO PRESENT: Staff Present: Eric Ennis, Susan Katzoff, Esq., Lori McRobbie; Others Present: Aggie Lane, Barry Lentz, Tylah Worrell, David Pida, Josh Patricoski, Michelle Sczpanski

The following Resolution was offered by Dirk Sonneborn and seconded by Rickey T. Brown:

RESOLUTION AUTHORIZING THE AGENCY TO PARTNER WITH THE CITY TO (1) ENTER INTO AN AGREEMENT WITH CZB, LLC; AND (2) ALLOCATE FUNDS TO SUPPORT THE COMPLETION OF A HOUSING IMPLEMENTATION PLAN IN AN AMOUNT NOT TO EXCEED \$425,000

WHEREAS, the policy of the State of New York (the "**State**") set forth in Title 1 of Article 18-A of the General Municipal Law of the State, as amended (the "**IDA Act**"), is to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation, economically sound commerce and industry through governmental action for the purpose of preventing unemployment and economic deterioration by the creation of industrial development agencies and to protect and promote the health of the inhabitants of the State and to increase trade through promoting the development of facilities to provide recreation for the citizens of the State and to attract tourists from other states; and

WHEREAS, City of Syracuse Industrial Development Agency (the "**Agency**") constitutes an industrial development agency established under the IDA Act and Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (together with the IDA Act, the "**Act**") and is thereby authorized and empowered 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, including industrial pollution control facilities, educational or cultural facilities, railroad facilities and certain horse racing facilities, thereby advance the job opportunities, health, general prosperity and

economic welfare of the people of the State and 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 do all things necessary or convenient to carry out its purposes and exercise the powers expressly given in the IDA Act, including but not limited to entering contracts and agreements; and

WHEREAS, by letter dated June 16, 2023, the City of Syracuse's (the "**City**") Department of Neighborhood & Business Development ("**NBD**") advised the Agency, that using funds allocated to the City from the American Rescue Plan Act, the City previously engaged czb, LLC (the "**Company**") to undertake and complete the first phase of a City wide housing study ("**First Phase Study**"); and

WHEREAS, each the Chair and the Executive Director of the Agency are members of the steering committee which oversaw the First Phase Study; and

WHEREAS, the First Phase Study evidenced the breadth and scope of the housing crisis in the City. Moreover, the cost to cure the market and affordability conditions currently present in the City's housing market far exceeds the amount of resources currently available. As such, it is imperative that the Agency and the City continue to coordinate investments relative to implementation and planning to ensure that collective resources are leveraged, as intentionally as possible, to maximize impact, and help to achieve our mutual goal of improving the overall housing market strength within the City; and

WHEREAS, under the Act, the Agency is tasked, in part, with improving the health, general prosperity and economic welfare of the people it serves and improves their recreation opportunities, prosperity and standard of living (collectively, "**Factors**"); and

WHEREAS, the Agency has identified housing as a basic need that improves these Factors; and

WHEREAS, based upon the completed First Phase Study, in partnership with the City, the Agency agreed to provide up to \$137,500 toward undertaking and completion by the Company of the second phase of the study to develop more comprehensive and prescriptive recommendations for a housing strategy and investment plan that advances the market-based and affordability-based outcomes identified in the First Phase Study (the "**Second Phase Study**"); and

WHEREAS, by correspondence dated January 20, 2024, the City requested the Agency consider allocating up to \$425,000 (the "**Funding**") to support the completion by the Company of a comprehensive housing implantation plan, building off the findings of the prior phase studies, to identify specific interventions that should be prioritized based on existing conditions on a block by block basis for certain identified areas/neighborhoods (the "**Implementation Plan Phase**"); and

WHEREAS, to effectuate the Funding, the Agency would negotiate and enter into a memorandum of understanding with the Company (the "**MOU**") to advance the Funding and undertake the Implementation Plan Phase; and

WHEREAS, a member of the Agency would be invited to sit on the Mayor-appointed steering committee that would be tasked with making recommendations for the Implementation Plan. Understanding that the health of the City's housing market is inextricably connected to that of its overall economic development health. The Agency's involvement with the process will help ensure that the outcomes of the Implementation Plan Phase help to advance the Agency's and City's mutual goals (hereinafter the "**Agency's Participation**"); and

WHEREAS, the Agency recognizes the lack of affordable housing options within the City and that increasing the housing stock in general will advance the general prosperity and standard of living of the residents of the City; 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 MOU and the granting of the Funding as a "Type II" action as that term is defined under SEQRA, and therefore no further review is required; and

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 Agency has determined that the Implementation Plan Phase will provide a unique benefit, offered at a reasonable cost; and
- (b) The Agency has the statutory authority to grant the Funding and to enter into the negotiated MOU with the Company for the Implementation Plan Phase and engage in the Agency's Participation; and
- (c) The Chair, Vice Chair and/or Executive Director of the Agency are each hereby authorized, on behalf of the Agency, to: (i) negotiate, execute and deliver the MOU with the Company on terms acceptable to the Agency upon advice of counsel; and (ii) provide the Funding subject to the execution and terms of the MOU and this Resolution; and (iii) undertake the Agency's Participation, all as presented at this meeting. The Chair, Vice Chair and/or the Executive Director of the Agency are further authorized to do all such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution. The execution of the MOU by

the Chair, the Vice Chair and/or the Executive Director shall constitute conclusive evidence of such approval; and

- (d) The execution and delivery of the MOU and the provision of the Funding to undertake the Implementation Plan Phase is in furtherance of the Agency’s corporate purposes and promotes economic development and advances the general prosperity and economic welfare of the people of the City in furtherance of the purposes of the Act.

Section 2. Should any court of competent jurisdiction determine that the Agency is not authorized under the Act to advance the Funding or participate in the MOU to undertake the Implementation Plan Phase, this Resolution shall automatically become null, void and of no further force and effect with respect thereto, and the Agency shall have no liability to the Company hereunder or otherwise.

Section 3. No covenant, stipulation, obligation or agreement contained in this Resolution or any other 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. None of the members or officers of the Agency shall be liable or be subject to any personal liability or accountability by reason of the execution of any document referred to above.

Section 4. The Secretary and/or staff of the Agency is hereby authorized and directed to distribute copies of this Resolution to and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

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.

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

	AYE	NAY
Kathleen Murphy	X	
Steven Thompson	X	
Kenneth Kinsey	X	
Rickey T. Brown	X	
Dirk Sonneborn	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 January 23, 2024, 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 on 5/15/2024.

City of Syracuse Industrial Development Agency

DocuSigned by:

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Rickey T. Brown, Secretary

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