

White Plains Urban Renewal Agency

2015-16 Annual Report



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1. Introduction

The following Annual Report for the White Plains Urban Renewal Agency (“Agency”) has been completed pursuant to the Public Authorities Reform Act (PARA) of 2009. The White Plains Urban Renewal Agency constitutes a “local authority”; therefore, this annual report follows the reporting requirements for local authorities, pursuant to Chapter 506 of the laws of 2009. This Annual Report summarizes the activities of the Agency for the Fiscal Year beginning on July 1, 2015 and ending on June 30, 2016.



Main-Mamaroneck Phase I-City Center

The PARA of 2009 requires local authorities to submit annually to the Authorities Budget Office, a complete and detailed report or reports setting forth the following:

- Operations and accomplishments
- Financial reports
- Mission statement and performance measurements
- Schedule of debt issuance
- Compensation schedule
- Projects undertaken/underway
- Property acquisitions and dispositions in excess of \$15,000
- Code of ethics
- Assessment of internal control structure and procedures
- Legislation that forms statutory basis for Agency
- Agency and board structure description
- By-laws
- Material changes in operations and programs
- Four-year financial plan
- Board performance evaluations
- Description of total assets
- Pending litigation

The following report provides detailed information about these 17 reporting requirements for FY2015-16, in the order that they are listed in the 2009 PARA.

2. Operations and Accomplishments (July 1, 2015 – June 30, 2016)

A. Administrative Accomplishments

The Agency's administrative activities are summarized in Table 1, below.

| Date | Resolution # | Action Taken |
|-------------------|---------------------|--|
| July 16, 2015 | 05-2015 | Agency adopted a Resolution Establishing the Community Development Position and Salary Schedule for Fiscal Year July 1, 2015 to June 30, 2016. |
| | 06-2015 | Agency adopted a Resolution appointing Christopher N. Gomez as Executive Director of the White Plains Urban Renewal Agency. |
| | 07-2015 | Agency adopted a Resolution Adopting the Combined Federal "Inception-to-Date" Budget. |
| December 10, 2015 | 08-2015 | Agency adopted a Resolution approving the 2014-15 Mission Statement and Performance Measures and the 2014-15 Annual Report. |
| February 24, 2016 | 01-2016 | Agency adopted a Resolution adopting the Urban Renewal Agency Annual Administrative Budget for Fiscal Year July 1, 2016 to June 30, 2017. |

B. Project Accomplishments

The following is a list of active Agency projects during FY 2015-16.

- Central Renewal Project—55 Bank Street
- Main-Mamaroneck Phase I Urban Renewal Project (City Center Exterior Modifications)
- General Neighborhood Renewal Plan (the Community Development Rehabilitation Program Revolving Fund)
- Post Road/Lexington Avenue Urban Renewal Project

| Date | Resolution # | Action Taken |
|-------------------|---------------------|--|
| February 24, 2016 | 02-2016 | Agency adopted a Resolution approving modifications to the exterior design for the City Center Project located in Phase I of the Main-Mamaroneck Urban Renewal Project, Project No. WPUR-13. |

More information including detailed summaries of the Agency's operations and milestones with respect to specific urban renewal projects is provided in Section 8 of this Annual Report.

3. Financial Reports

A. Audited Financials

The Agency audited financials in accordance with Generally-Accepted Accounting Practices ("GAAP") per section 2 (10) of the NY State Finance Law are prepared as part of the City's (Certified Accounting Financial Reports ("CAFR")) and are posted on the City's website when available.

B. Grants and Subsidy Programs

The Agency receives no direct grant or subsidy program funds. Funding to pay Community Development Block Grant employees is received by the City of White Plains and all allocations of funds are as authorized by the City of White Plains Common Council.

C. Operating and Financial Risks

The Agency has not identified any operating or financial risks.

D. Current Bond Ratings

The Agency had no outstanding bonds issued during fiscal year July 1, 2015 through June 30, 2016.

E. Long-term Liabilities

Liabilities

The Agency has no long term liabilities.

Leases

The Agency leases four of its properties - Bronx Street Lot, Water Street Lot, and Franklin-Windsor Lot to the City for municipal parking, and leases the land on which the City Center Municipal Parking Garage is located to the City of White Plains and LC White Plains, LLC as tenants in common which own the City Center Municipal Parking Garage.

Employee Benefit Plans

The Agency has no employees for which it directly provides employee benefit plans or incurs liabilities. Employee benefits and liabilities for the Community Development Program employees and retirees are provided through the Federal funding for those respective programs which programs are maintained and implemented by the City of White Plains.

4. Mission Statement and Performance Measures

The Mission Statement for the Agency, as originally adopted on March 31, 2010, and reaffirmed in subsequent years, reads as follows:

“It is the mission of the Agency to accomplish its goals of eliminating substandard and insanitary conditions and areas, and revitalizing municipally designated distressed areas; promoting redevelopment of these areas with safe, sanitary and economically viable residential, non-residential, commercial, and industrial properties and uses; and enabling in these areas the redevelopment of, conservation, restoration or improvements of private and public facilities and infrastructure in a manner benefiting the citizens, residents, businesses, government and community objectives of the City of White Plains as expressed in the White Plains Comprehensive Plan.”

The Mission Statement of the Agency has not been changed and continues to be relevant and serves the needs of the Agency. The Mission Statement and Performance Measurements Report are provided in Appendix A.

5. Schedule of Debt Issuance

The Agency had no outstanding bonds issued or notes outstanding during fiscal year July 1, 2015 through June 30, 2016.

6. Compensation Schedule

A. Members

The members of the Agency serve with no compensation of any kind.

B. Staff

There are no officers, directors or employees whose URA salaries are in excess of \$100,000. The Agency employs no direct full or part-time administrative staff on urban renewal matters.

Pursuant to the 1990 Cooperation Agreement between the Agency and the City of White Plains, the Agency employs the staff of the White Plains Community Development Program who works exclusively on eligible federally funded Community Development Block Grant Program projects and activities, according to project and activity funding allocations approved by the Common Council. Within the approved project and activity budgets, the Agency approves the salary and compensation schedule for these employees.

The Agency reimburses the City of White Plains for time spent by the following city staff on Agency business, according to the compensation schedule provided in Table 3.

- Commissioner of Planning
- Environmental Officer
- Drafter 2
- Corporation Council/Law Department Attorney
- Deputy Commissioner of Finance and Senior Accountant

| Table 3. 2015-16 Agency Compensation Schedule (Reimbursement to City of White Plains) | | |
|--|-------------|------------|
| Title/Position | Hourly Rate | Total |
| <i>Planning and Environmental</i> | | |
| Executive Director | \$113.88 | |
| Drafter 2 | \$57.13 | |
| Deputy Commissioner | \$87.23 | |
| Subtotal | | \$3,346.05 |
| <i>Legal</i> | | |
| Attorney | \$100 | |
| Subtotal | | \$800.00 |
| <i>Finance/Audit</i> | | |
| Deputy Finance Commissioner | \$94.96 | |
| Subtotal | | \$2,337.31 |
| Total Agency Reimbursement to City | | \$6,483.36 |

7. Biographical Information

Biographical information including salary reporting is required for all Directors and Officers and Employees whose salary is in excess of \$100,000. There were no Agency Directors, Officers, or Employees who met these criteria in fiscal year 2015-16.

8. Projects Undertaken/Underway During Fiscal Year (July 1, 2015-June 30, 2016)

The Agency's project accomplishments during FY 2015-16 are summarized below.

A. 55 Bank Street - Central Renewal Project NY-R 37

Modifications to the Land Disposition Agreement (LDA) and the Site Plan for the project were approved by the Agency (Resolution 08-2014, Appendix C) and the Common Council on September 2, 2014. The modifications to the LDA and Preliminary Plans including the development of more affordable housing in the Core Area, the reduction of the building height, and the elimination of a visually obtrusive 7-story parking structure are all consistent with the objectives and strategies of the City's 1997 Comprehensive Plan and 2006 Plan Update. Substantial construction has begun on the project to date.

B. Main-Mamaroneck Phase I Project WPUR-13

City Center Plaza and Exterior Modifications

The Main-Mamaroneck Phase I Urban Renewal Plan (Project No. WPUR-13) was adopted by the White Plains Urban Renewal Agency (the Agency) on April 20, 1998 (Resolution 4-98) and modified on February 7, 2003 (Resolution 02-03) and August 8, 2006 (Resolution 14-2006). Section B.3(a)(3) of the WPUR-13 Plan specifically provides that the Agency must approve the exterior materials of all buildings proposed, as follows:

The site plan and exterior design of all buildings and development proposed for the Project Area, including notes and samples of color and material of all exterior portions of buildings and structures shall be subject to the approval of the White Plains Urban Renewal Agency. Such plans and designs shall be reviewed with respect to architectural style, general design, arrangement, location, and materials affecting exterior appearance.

On January 15, 2016, KRG White Plains City Center, LLC (Applicant) proposed the following changes to the exterior of the City Center Project to improve its vibrancy, functionality and overall aesthetic appearance.

- Upgrading the pedestrian plaza and courtyard on the east side of City Center with a new fountain, additional plantings, seating, lighting and a stage;
- Implementing a valet in conjunction with pavement, curbing and sidewalk modifications along Mamaroneck Avenue to provide benefits and improved parking and circulation to patrons of the City Center and surround retail and restaurants;
- Modifying the Mamaroneck Avenue entrance to the City Center by installing escalators from a renovated and redesigned lobby area up to the second floor; and,
- Revising and updating certain exterior signage on the City Center and the skyway bridge.

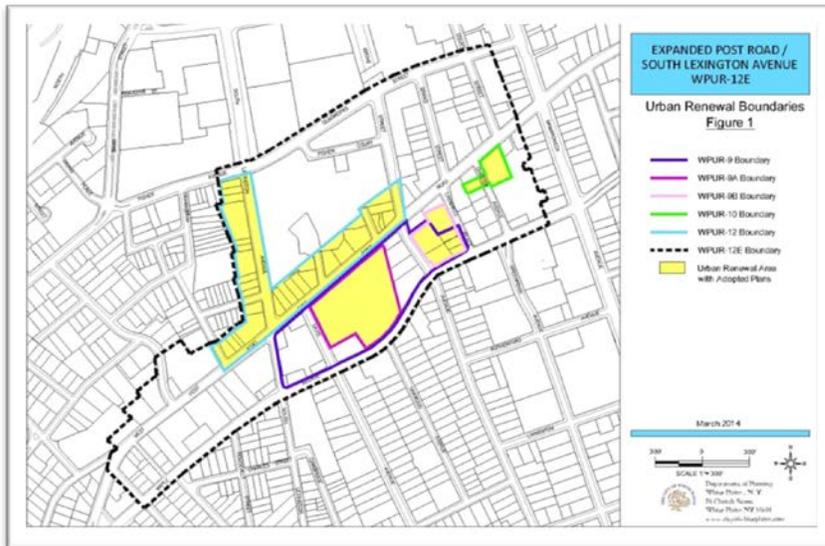
Based on its review of the proposed design changes to the exterior building and plaza at its meeting of February 24, 2016, the Agency found that the proposed design changes did not constitute a substantial change to the overall character of the approved City Center Project, pursuant to Section E of the WPUR-13 Plan. The Agency therefore approved the changes to the exterior of the City Center and the plaza on February 24, 2016. The White Plains Common Council approved the project on March 7, 2016.

C. Post Rd/South Lexington Ave. Project WPUR-12E

In FY 2015-16, Agency staff continues to reevaluate this designated area and consider expanding it further along East Post Road. Staff prepared a preliminary vacancy rate report with

accompanying maps.

As of the date of this report, staff continues to evaluate this designated area, determine priorities, and consider its expansion to promote economic development along the Post Road corridor.



9. Acquisition or Disposal of Real Property

PARA requires local authorities to report all real property having an estimated fair market value in excess of \$15,000 that was acquired or disposed of during the fiscal year.

A. Real Property and Price Received

The Agency purchased no real property in FY2015-16.

B. Property Sold by Agency

The Agency did not sell any property in FY2015-16.

10. Code of Ethics

The Code of Ethics of the City of White Plains includes and makes reference to the White Plains Urban Renewal Agency. The City of White Plains Code of Ethics is contained in the Municipal Code of the City of White Plains Article V and appears on the Urban Renewal Agency website www.cityofwhiteplains.com/urbanrenewal. Disclosure Filings by Agency members must be made annually and submitted to the Westchester County Ethics Board as required by Public Authorities Law.

Agency members have also executed Acknowledgements of Fiduciary Duty which are on file in the Agency offices in the Planning Department.

11. Internal Controls and Procedures Assessment

For financial reporting and audit purposes, the Urban Renewal Agency is treated as a “Component Unit” of the City of White Plains. The Agency audit is submitted annually to the NYS Office of the Comptroller as a component unit of the City in the Annual Update Document (AUD). The Agency audit is contained in the City’s Comprehensive Annual Finance Report (CAFR) as a component unit.

The Agency section of the OSC Annual Update Document and City CAFR are shown on the Agency’s website at: <http://whiteplainsny.gov/index.aspx?nid=156>. The Agency’s section is posted on the Agency’s website each year as soon as the OSC Annual Update Document and City CAFR are completed for the fiscal year.

12. Statutory Basis of the Agency

The Agency’s enabling legislation is General Municipal Law (“GML”) Article 15-A Section 554, and is attached as Appendix B to this report.

13. Agency Description and Board Structure

A. Description

The White Plains Urban Renewal Agency (WPURA) is a public benefit corporation authorized by Title 14, Article 15-B of New York State General Municipal Law to exercise certain powers to carry out urban renewal projects approved by the Common Council which conform to and promote the goals and objectives of the City’s Comprehensive Plan.

B. Board Structure

Committees and committee members

Governance Committee

Vice Chair – vacant

James Glatthaar, Board member

Norman DiChiara, Board member

Christopher N. Gomez, Executive Director

Audit Committee

Dan Moriarty, Board member

Norman DiChiara, Board member

James Glatthaar, Board member

Michael Genito, Treasurer

Board meetings and attendance

| Table 4. Board Meetings, FY 2015-16 | | |
|--|---|---|
| Meeting Date | Attendance | |
| July 16, 2015 | <u>URA Members</u> Mayor Thomas Roach, Chair Larry Delgado, Vice Chair Daniel Moriarty James Glatthaar | <u>Other</u> Christopher N. Gomez, Executive Director Linda Puoplo, Deputy Commissioner of Planning Arthur Gutekunst, Legal Counsel Michael Genito, Treasurer Rod Johnson, Staff Kristi Knecht, Staff |
| December 10, 2015 | <u>URA Members</u> Mayor Thomas Roach, Chair Norman DiChiara, Secretary James Glatthaar Daniel Moriarty | <u>Other</u> Carol Endres, Dept. of Finance Christopher N. Gomez, Executive Director Kristi Knecht, Staff |
| February 24, 2016 | <u>URA Members</u> Mayor Thomas Roach, Chair Norman DiChiara, Secretary James Glatthaar Daniel Moriarty | <u>Other</u> Michael Genito, Treasurer Christopher N. Gomez, Executive Director Arthur Gutekunst, Legal Counsel Kristi Knecht, Staff KITE Realty Group JMC Engineering |

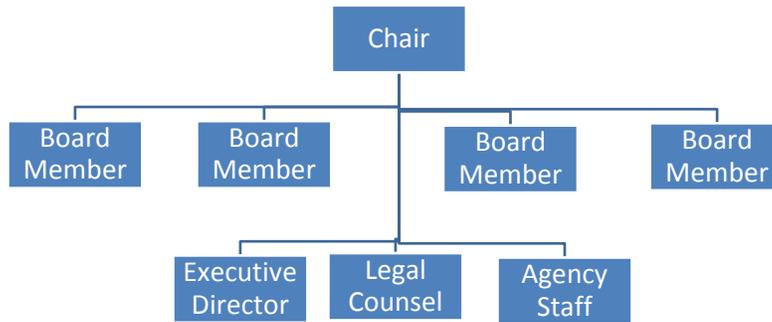
Major Agency units, subsidiaries

The Agency is comprised of a five member board including the Mayor and four other members appointed by the Mayor. The Agency does not have any subsidiaries.

Number of Employees

The Agency has no full or part time administrative employees funded by the Agency. All work is performed under an Agreement with the City of White Plains for reimbursement of City staff time spent on Agency matters. During the 2015-16 fiscal year, there were five (5) full time and two (2) part time employees funded through the Federal Community Development Program. The Position, Title and Salary Schedule for 2015-16 was adopted by Agency Resolution 05-2015 and is attached as Appendix C.

Organizational Chart



14. Charter and Bylaws

See Appendix D.

15. Material Operating or Program Changes

Christopher N. Gomez was appointed Executive Director of the White Plains Urban Renewal Agency on July 16, 2015 by Resolution 06-2015. In addition, Larry Delgado, Vice Chairman of the Urban Renewal Agency resigned effective September 2015. A new member will be appointed in the near future.

16. 4 -Year Financial Plan

The 2015-16 operating/administrative budget is provided in Table 5, below.

**White Plains Urban Renewal Agency
FY 2015-2016 Proposed Administrative Budget**

Org. 2639

| <u>OBJECT</u> | <u>DESCRIPTION</u> | <u>Proposed Modified Budget</u> |
|---------------|-------------------------------|---|
| 4.005 | Financial & Auditing | 5,500 |
| 4.008 | Legal Services | 3,000 |
| 4.023 | Program Services | 8,295 |
| 4.095 | Workers' Compensation Premium | 2,500 |
| 4.096 | Unemployment Insurance | 3,500 |
| 4.101 | Liability Insurance | 11,901 |
| | Total | <u>34,696</u> |

The current and projected capital budget is provided in Table 6 below.

Table 6. White Plains Urban Renewal Agency Combined Federal Budget, NYR-37

| CODE | ESTIMATED REVENUES | Modified Budget 6/17/15 | Proposed Modified Budget | Increase (Decrease) |
|-------|---------------------------------|----------------------------|--------------------------|------------------------|
| 02203 | HUD CD Block Grant | \$ 3,480,800 | \$ 3,480,800 | \$ - |
| 02204 | Project Capital Grant | 55,524,997 | 55,524,997 | - |
| 02214 | HUD Financial Setlmnt Grant | 10,672,053 | 10,672,053 | - |
| 02282 | WPURA State Grant | 1,721,275 | 1,721,275 | - |
| 02286 | WPURA-7 Contributions | 94,238 | 94,238 | - |
| 06614 | Land Sale Proceeds | 10,756,729 | 10,756,729 | - |
| 06619 | Other Minor Sales | 600 | 600 | - |
| 06694 | Rental Income/NYR-37 | 1,628,636 | 1,818,636 | 190,000 |
| 06696 | Commissions | 22,497 | 22,497 | - |
| 06698 | Refund P/Y Expenses | 64,720 | 64,720 | - |
| 06699 | Miscellaneous | 123,288 | 123,288 | - |
| 077XX | Interest Income | 4,802,801 | 4,802,856 | 55 |
| | Total Estimated Revenues | \$ 88,892,634 | \$ 89,082,689 | \$ 190,055 |
| CODE | APPROPRIATIONS | | | |
| 4.801 | Total Survey & Planning-Pt. 1 | \$ 441,530 | \$ 441,530 | \$ - |
| 4.810 | Administrative Overhead | 11,510,356 | 11,645,407 | 135,051 |
| 4.815 | Legal Services | 1,070,000 | 1,070,000 | - |
| 4.818 | Project Consultants | 309,466 | 309,466 | - |
| 4.820 | Interest Expense | 12,225,033 | 12,225,033 | - |
| 4.830 | Survey & Planning | 263,495 | 263,495 | - |
| 4.840 | Real Estate Acquisition | 597,753 | 597,753 | - |
| 4.841 | Acquisition Costs | 44,091,214 | 44,091,214 | - |
| 4.843 | Relocation Costs | 32,671 | 32,671 | - |
| 4.844 | Relocation Expenses | 4,125,339 | 4,125,339 | - |
| 4.845 | Disposal Costs | 793,329 | 793,329 | - |
| 4.846 | Temp Op Acq Prop/NYR-37 | 538,856 | 593,860 | 55,004 |
| 4.850 | Site Clearance | 2,601,889 | 2,601,889 | - |
| 4.855 | Project Improvements | 10,291,703 | 10,291,703 | - |
| | Total Appropriations | \$ 88,892,634 | \$ 89,082,689 | \$ 190,055 |

17. Board Performance Evaluations

The aggregated results of the Annual Board of Directors Evaluation Questionnaire will be provided to the ABO.

The Evaluation Questionnaire is attached as Appendix E; however, the results are not included with this Annual Report because, according to the ABO, board discussion of its performance “would constitute a matter made confidential, by state law that, therefore, could be conducted in private.”

18. Buying or Selling Without Competitive Bidding

PARA requires local authorities to disclose any assets and services bought or sold without competitive bidding, including their nature, names of parties involved, contract price compared to fair market value, a detailed explanation justifying the purchase or sale without competitive bidding, certification by the CEO and CFO that terms of purchase or sale were reviewed and comply with procurement guidelines.

No assets were bought or sold by the Agency in FY 2015-16 without competitive bidding. Applicants were screened using HUD income eligibility criteria and our affordable rental housing program priority areas.

19. Description of Material Pending Litigation

There is no pending litigation.

APPENDICES



APPENDIX A

EXHIBIT A

White Plains Urban Renewal Agency Mission Statement and Performance Measurements

Name of Public Authority: White Plains Urban Renewal Agency

A. Public Authority's Mission Statement:

Section I. Legal Authority and Purpose of the Agency

The purpose of the White Plains Urban Renewal Agency ("Agency") is to exercise its powers under General Municipal Law ("GML") Article 15-A Section 554 to carry out urban renewal projects approved by the Common Council of the City of White Plains ("Common Council of the City" or "City") which projects and the plans therefor conform to and promote the effectuation of the goals and objectives of the Comprehensive Plan of the City of White Plains, as the same may from time to time be amended. Pursuant to GML Section 502(6) a plan for an urban renewal project must conform to the "comprehensive community plan." This term is interchangeable with "master plan" or "general plan." In White Plains, an active urban renewal plan must be in conformance with the City's 1997 Comprehensive Plan, as amended to date ("White Plains Comprehensive Plan").

Pursuant to GML Section 554 and Section 583, the Agency was created and is authorized to "plan and undertake one or more urban renewal projects and shall have the powers necessary or convenient to carry out and effectuate such project or projects and the purposes and provisions of this article fifteen of this chapter." The purpose of providing an urban renewal agency, and specifically here the Agency with such powers is to enable such agency to carry out, within the City of White Plains an urban renewal program which is defined in Article 15 Section 502(3) as "a program established, conducted and planned by a municipality for the redevelopment, through clearance, re-planning, reconstruction, rehabilitation, and concentrated code enforcement, or a combination of these and other methods, of substandard and insanitary areas of such municipalities, and for recreational and other facilities incidental or appurtenant thereto, pursuant to and in accordance with article eighteen of the constitution and this article. The terms "clearance, re-planning, reconstruction and rehabilitation" shall include renewal, redevelopment, conservation, restoration or improvement or any combination thereof as well as relocation activities and the testing and reporting of methods and techniques for the arrest, prevention and elimination of slums and blight; the term "program" may mean or include and be interchangeable with the term "project."

Section II. Agency Stakeholders

The stakeholders of the Agency are the citizens and businesses of the City of White Plains. Within each designated urban renewal project area the direct stakeholders are those affected by and the beneficiaries of the particular urban renewal project in that designated area, and those outside the designated project area who are most directly impacted by the implementation of an urban renewal project plan within the designated project area, including any and all residents of the City of White Plains.

Section III. Goals of the Agency

The goals of the Agency are to work with the City to:

- (1) eliminate substandard and insanitary conditions and areas, and revitalize municipally designated distressed areas;
- (2) promote redevelopment of these areas with safe, sanitary and economically viable residential, non-residential, commercial, and industrial properties and uses; and
- (3) enable in these areas the redevelopment of, conservation, restoration or improvements of private and public facilities and infrastructure.

(Substandard or insanitary areas include under General Municipal Law Section 502(4) “a slum, blighted, deteriorated or deteriorating area, or an area which has a blighting influence on the surrounding area. . .”)

Section IV: Mission of the Agency

It is the mission of the Agency to accomplish its goals of eliminating substandard and insanitary conditions and areas, and revitalizing municipally designated distressed areas; promoting redevelopment of these areas with safe, sanitary and economically viable residential, non-residential, commercial, and industrial properties and uses; and enabling in these areas the redevelopment of, conservation, restoration or improvements of private and public facilities and infrastructure in a manner benefitting the citizens, residents, businesses, government and community objectives of the City of White Plains as expressed in the White Plains Comprehensive Plan.

Originally Adopted: March 31, 2010 (Agency Resolution 01-2010)

Reaffirmed: September 30, 2011 (Agency Resolution 08-2011)
September 24, 2012 (Agency Resolution 04-2012)
April 14, 2014 (Agency Resolution 02-2014)
November 24, 2014 (Agency Resolution 10-2014)
December 10, 2015 (Agency Resolution 08-2015)

B. List of Performance Goals:

Performance Goals:

To accomplish the goals of the Agency as expressed in its Mission Statement, the Agency works with the City to exercise its powers under GML Section 554 for the benefit of the community of White Plains, to establish for each area designated by the Common Council of the City as a substandard or insanitary area, as defined in General Municipal Law Section 502(4), a planned program of urban renewal including:

- (1) the formal designation of an urban renewal project area by the Agency and Common Council of the City, pursuant to General Municipal Law Section 504.
- (2) the adoption, or amendment of an existing urban renewal plan for the redevelopment of the designated area, such plan being subject to the review and report of the White Plains Planning Board and approval of the Common Council of the City pursuant to GML Section 505. The approval of the urban renewal plan shall include how it conforms to the White Plains Comprehensive Plan.
- (3) specification in the urban renewal plan, or amendments thereto, of the powers of the Agency to be exercised in the implementation of the approved plan.
- (4) implementation of the urban renewal plan, which may include but is not limited to:
 - a. acquisition of public or private property within the designated project area as specifically identified in the adopted urban renewal plan for the designated area as approved by the City,
 - b. designation of private or public entities for the redevelopment, as defined under GML Section 503(3), of public or private property within the designated project area as specifically provided for in the adopted urban renewal plan,
 - c. disposition of acquired property within the designated project area for redevelopment, as specifically identified in the adopted urban renewal plan for the designated project area, and
 - d. authorizing a redevelopment program as defined under GML 502(3) for public or private infrastructure specifically identified in the adopted urban renewal plan for the designated project area,
 - e. redevelopment as defined under GML 502(3) of the disposed property within the designated project area as specifically identified in the adopted urban renewal plan.

Assessment of Implementation of Goals

All goals, objectives and strategies for the redevelopment of a particular designated urban renewal project area are specified in the adopted urban renewal plan which is subject to the approval of the Common Council of the City after review and report from the Planning Board and after a public hearing before both the Planning Board and the Common Council of the City. Any amendments to such plans or project area boundaries are also subject to public hearings. The urban renewal plans are public documents. The notice of all meetings, all urban renewal agency resolutions and the urban renewal plans are available for public review and are posted on the Agency's website. Any member of the public can monitor and assess the implementation of each urban renewal plan and the effect of each urban renewal project by visiting the project sites, reviewing the enabling legislation for each project and project modification, reviewing the urban renewal plans, and reviewing all project documents, including site plans and building plans which are available for public review during regular office hours at the offices of the Agency located in the City Hall Annex.

As a small public benefit corporation, the Agency is not involved in projects spread out over multiple jurisdictions or involving substantial financial resources, as is the case with many public authorities. As such, the monitoring of its performance by the Agency can be and is performed on a level very close to the projects in which it is involved. The following are performance measures for the Agency in assessing its implementation of its mission goals and objectives.

1. Is the urban renewal plan for a designated urban renewal project area moving forward consistent with the time frame established in the urban renewal plan?
2. Is the urban renewal plan for a designated urban renewal project area being implemented as specified in the urban renewal plan? Are the powers designated in the adopted urban renewal plan to be used by the Agency being used and are the results of using such powers achieving the objectives specified in the urban renewal plan?
3. Have there been any changes to the White Plains Comprehensive Plan since the adoption of the urban renewal plan which affect the plans conformance with the Comprehensive Plan or necessitate adjustments to the urban renewal plan?
4. Have there been any changes within the designated project area which necessitate a reevaluation of the area designated, either necessitating the inclusion of more or fewer properties?
5. Each redevelopment, reconstruction, rehabilitation or other plan for the redevelopment of a component of the urban renewal project is reviewed by the Agency management and by the Agency members ("Agency Board") to assess its conformance to the adopted urban renewal plan and the land use requirements of the City of White Plains.

6. The budget for each urban renewal project is reviewed by Agency management on a monthly basis and by the Agency Board at least twice a year to determine if the urban renewal project is on budget and at what rate funds are being expended under the budget.
7. A status report of each open urban renewal project is presented to the Agency Board at Agency meetings as part of the Director's Report.
8. All meetings of the Agency are noticed and open to the public.

EXHIBIT B

2015-16 ANNUAL REPORT

(Provided under separate cover).

EXHIBIT C

ACKNOWLEDGEMENT OF FIDUCIARY DUTIES AND RESPONSIBILITIES EXECUTED STATEMENTS OF BOARD MEMBERS

Authorities Budget Office Policy Guidance



No. 10-01

Date Issued: March 1, 2010
Supersedes: New

Subject: Acknowledgement of Fiduciary Duty

Statutory Citation: Public Authorities Law Section 2824(1)(h)

Provisions: Section 6(i) of Public Authorities Law, as amended by Chapter 506 of the Laws of 2009 ("The 2009 Public Authorities Reform Act" or "PARA"), requires the Authorities Budget Office (ABO) to "develop and issue" a written acknowledgement that all board members must execute as part of their duties and responsibilities under Section 2824 of Public Authorities Law. By signing this acknowledgement a board member is stating "that he or she understands his or her role and fiduciary responsibilities" as well as his or her "duty of loyalty and care to the organization and commitment to the authority's mission and the public interest."

Pursuant to PARA, every board member of a Public Authority is required to sign an acknowledgement of fiduciary duty at the time he or she takes the oath of office. The effectiveness of the acknowledgement will be deemed applicable throughout the duration of such board member's term and/or for as long as such director continues to serve in such capacity. Board members appointed to their positions prior to the effectiveness of PARA and the implementation of this new requirement are required to execute an acknowledgement by May 1, 2010.

Authorities Budget Office Policy Guidance: The primary responsibility of a board member is to understand the mission and public purpose of the Authority and to act in the best interests of the Authority, its mission, and the public. The intent of this written acknowledgement is to re-affirm the importance of this duty to board members.

The ABO is directing all state and local public authorities to use the attached acknowledgement form to satisfy this statutory requirement. Public authorities are to maintain signed copies of the acknowledgement throughout the official term of each active board member. State and local authorities will also be expected to certify as part of the Annual Report submission that these statements were executed in accordance with Section 2824 of Public Authorities Law. The failure to execute this acknowledgment will be considered a failure to comply with the requirements of Public Authorities Law. The failure to act in accordance with the principles stated in this acknowledgment can be considered a breach of fiduciary duty and could result in a recommendation that the board member be sanctioned.

A board member is to sign a new acknowledgement document at the start of each new term to which the board member is appointed.



Acknowledgement of Fiduciary Duties and Responsibilities

As a member of the Authority's board of directors, I understand that I have a fiduciary obligation to perform my duties and responsibilities to the best of my abilities, in good faith and with proper diligence and care, consistent with the enabling statute, mission, and by-laws of the Authority and the laws of New York State. The requirements set forth in this acknowledgement are based on the provisions of New York State law, including but not limited to the Public Authorities Reform Act of 2009, Public Officers Law, and General Municipal Law. As a member of the board of directors:

I. Mission Statement

I have read and understand the mission of the Authority; and the mission is designed to achieve a public purpose on behalf of the State of New York. I further understand that my fiduciary duty to this Authority is derived from and governed by its mission.

I agree that I have an obligation to become knowledgeable about the mission, purpose, functions, responsibilities, and statutory duties of the Authority and, when I believe it necessary, to make reasonable inquiry of management and others with knowledge and expertise so as to inform my decisions.

II. Deliberation

I understand that my obligation is to act in the best interests of the Authority and the People of the State of New York whom the Authority serves.

I agree that I will exercise independent judgment on all matters before the board.

I understand that any interested party may comment on any matter or proposed resolution that comes before the board of directors consistent with the laws governing procurement policy and practice, be it the general public, an affected party, a party potentially impacted by such matter or an elected or appointed public official. However, I understand that the ultimate decision is mine and will be consistent with the mission of the Authority and my fiduciary duties as a member of the Authority's board of directors.

I will participate in training sessions, attend board and committee meetings, and engage fully in the board's and committee's decision-making process.

III. Confidentiality

I agree that I will not divulge confidential discussions and confidential matters that come before the board for consideration or action.

IV. Conflict of Interest

I agree to disclose to the board any conflicts, or the appearance of a conflict, of a personal, financial, ethical, or professional nature that could inhibit me from performing my duties in good faith and with due diligence and care.

I do not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of my duties in the public interest.

Signature: _____
Print Name: _____
Authority Name: _____
Date: _____

APPENDIX B

APPENDIX B:

General Municipal Law ("GML") Article 15-A Section 554

Subject to the provisions of article fifteen of this chapter, an agency is authorized to plan and undertake one or more urban renewal projects and shall have the powers necessary or convenient to carry out and effectuate such project or projects and the purposes and provisions of this article and article fifteen of this chapter, including but not limited to the following powers: (1) to sue and be sued; (2) to have a seal and alter the same at pleasure; (3) to have perpetual succession; (4) to make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions; (5) to make and alter by-laws for its organization and internal management; (6) to acquire or contract to acquire from any person, firm, corporation or government, by subsidy, contribution, gift, grant, bequest, devise, purchase, pursuant to the provisions of the eminent domain procedure law, or otherwise, real or personal property or any interest therein, including but not limited to air rights, and easements or other rights of user, necessary for the use and development of such air rights, to be developed as air rights sites for the elimination of the blighting influences over an area or areas consisting principally of land in streets, alleys, highways, and other public rights of way, railway or subway tracks, bridge or tunnel approaches or entrances, or other similar facilities which have a blighting influence on the surrounding area and over which air rights sites are to be developed for the elimination of such blighting influences, provided, however, that the acquisition of any air rights over railroad tracks, rights-of-way or facilities and easements or other rights of user necessary for the use and development of such air rights are to be subject to the provisions of section fifty-one-a of the railroad law; (7) to appoint officers, agents and employees, prescribe their duties, fix their compensation and delegate to one or more of such officers, agents or employees such powers or duties as it may deem proper; (8) with the consent of the municipality to use agents, employees, and facilities of the municipality, paying to the municipality its agreed proportion of the compensation or costs; (9) to insure or provide for the insurance of its property or operations as required by law and also against such other risks as it may deem advisable; (10) to invest any moneys held in reserve or sinking funds or any moneys not required for immediate use or disbursement at the discretion of the agency in obligations of the state or the United States government or obligations of which the principal and interest are guaranteed by the state or the United States government; (11) to cooperate with the federal government and apply for and accept advances, loans, grants, subsidies, contributions and any other form of financial assistance from the federal government, or from the state, county, municipality or other public body or from any sources public or private, for the purposes of this article and article fifteen of this chapter; and to give such security as may be required and to enter into and carry out contracts or agreements in connection therewith; provided, however, that any application for a loan, subsidy or grant to the federal government or the state shall be subject to the prior approval of the governing body; and to include in any contract for financial assistance with the federal government for or with respect to an urban renewal project, or with respect to any other program authorized under the federal housing act of nineteen hundred forty-nine, and all other federal laws amendatory and supplemental thereto, such conditions imposed pursuant to federal laws as the agency may deem reasonable and appropriate and which are not inconsistent with the purposes of this article or article fifteen of this chapter. Such conditions may include but shall not be limited to (a) provisions requiring payments of not less than certain minimum salaries and wages to architects, engineers, technicians, laborers, mechanics and other personnel; (b) provisions prohibiting rebates and kickbacks; and (c) provisions requiring contractors and subcontractors to furnish reports and other data to the secretary of labor; (d) provisions requiring payment of actual reasonable moving and related expenses as well as supplemental and additional payments, to individuals, families, business concerns or non-profit organizations due to displacement, so that disproportionate injuries are not suffered as a result of such program, as may be required by and pursuant to a federal financial assistance contract. (12) to apply for and accept the local grants-in-aid required under such federal laws, in the form of appropriations, cash, municipal services and facilities, or any other form; (13) to borrow money and issue bonds or other obligations; (14) to provide for demolition and clearance of property, improvement of property, or development and use of air rights and concomitant easements or other rights of user necessary for the use and development of such air rights and air rights sites, including the remedying

of unsuitable topographical, subsoil or other physical conditions which impede development within the urban renewal area, and construction of foundations and platforms as well as other necessary sitework, by the agency or by the municipality or by the persons, firm or corporation to whom such property, air rights and easements or air rights site, is sold or leased, provided, however, that any such work upon or affecting railroad property, right-of-way or facilities shall be subject to the approval of and joint supervision by the railroad company or companies affected. No work upon or affecting railroad property, right-of-way or facilities shall be progressed without the approval of the railroad company or companies, and in connection with all such projects upon or affecting railroad property, right-of-way or facilities appropriate standards for safety of operations, ventilation and lighting shall be subject to the approval of the railroad company or companies affected; (15) to develop, test and report methods and techniques and carry out demonstration and other activities in relation to or in connection with one or more programs of urban renewal or other programs relating to the arrest and prevention of conditions of deterioration or blight. In carrying out such demonstration and other activities an agency may itself reconstruct, repair, rehabilitate or otherwise improve such real property or may sell, lease or otherwise dispose of real property, for the effectuation of such activities or purposes by the purchaser or lessee thereof, pursuant to the provisions of section five hundred fifty-six of this article; (16) to prepare or cause to be prepared a general neighborhood renewal plan for an area consisting of an urban renewal area or areas, together with any adjoining areas having specially related problems, and which is of such size that urban renewal activities may have to be initiated in stages; (17) to prepare or cause to be prepared a community-wide plan or program for urban renewal which shall conform to the comprehensive community plan for the development of the municipality as a whole; (18) to conduct examinations and investigations, hear testimony and take proof, under oath at public or private hearings on any material matters. (19) to convey, assign, grant or otherwise transfer all of its right, title and interest in any urban renewal program, or part thereof, or any right, title or interest in or to any real or personal property, contract, claim or other interest acquired or held by it in connection with such program, or part thereof, with or without consideration, to the municipality, subject to the prior approval of the governing body, upon such terms and conditions as may be reasonable and appropriate to effectuate such transfer not inconsistent with the purposes of this article or article fifteen of this chapter or any contract for financial assistance from the federal government, or from the state or other public body, for any of the purposes of such articles or either of them.

APPENDIX C

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 05-2015

RESOLUTION ESTABLISHING THE COMMUNITY DEVELOPMENT POSITION TITLE AND SALARY SCHEDULE FOR FISCAL YEAR JULY 1, 2015 TO JUNE 30, 2016, INCLUDING:

I. ESTABLISHING THE COMMUNITY DEVELOPMENT POSITION TITLE AND SALARY SCHEDULE FOR FISCAL YEAR 2015-16, EFFECTIVE JULY 1, 2015.

WHEREAS:

- A. General Municipal Law (“GML”) Article 15 provides in the definition of urban renewal at Section 501.3, “a program established, conducted and planned by a municipality for the redevelopment, through clearance, re-planning, reconstruction, rehabilitation, and concentrated code enforcement, or a combination of these and other methods, of substandard and insanitary areas of such municipalities, and for recreation and other facilities incidental or appurtenant thereto . . .The terms ‘clearance, re-planning, reconstruction and rehabilitation’ shall include renewal, redevelopment, conservation, restoration or improvement or any combination thereof as well as relocation activities and the testing and reporting of methods and techniques for the arrest, prevention and elimination of slums and blight; the term ‘program’ may mean or include and be interchangeable with the term ‘project’”.
- B. Among its powers under GML Article 15-A, an urban renewal agency has the authority, pursuant to Section 554(7) “to appoint officers, agents and employees, prescribe their duties, fix their compensation and delegate to one or more of such officers, agents or employees such powers or duties as it may deem proper”.
- C. Among its powers under GML Article 15-A, an urban renewal agency has the further authority, pursuant to GML Section 554(8) “with the consent of the municipality to use agents, employees and facilities of the municipality, paying to the municipality its agreed proportion of the compensation or costs”.
- D. Further among its powers under GML Article 15-A, pursuant to GML Section 554(1) an urban renewal agency has the power “to cooperate with the federal government and apply for and accept advances, loans, grants, subsidies, contributions and any other form of financial assistance from the federal government, or from the state, county, municipality or other public body or from sources public or private, for the purposes of this article and article fifteen of this chapter”.
- E. Further among the purposes of an urban renewal agency under GML Article 15 and 15-A, pursuant to GML Section 554(16) is the power “to prepare or cause to be prepared a general neighborhood renewal plan for an area consisting of an urban renewal area or areas, together with any adjoining areas having specially related problems”.
- F. Pursuant to GML Section 554(7) and (11), and in cooperation with the City of White Plains (“City”) and the Federal Government, particularly the U.S. Department of Housing and Urban Development (“HUD”), the White Plains Urban Renewal Agency (“Agency”) with Community Development Block Grant Program grant funds directed

- J. The Agency has reviewed the proposed modifications to the 2014-15 Community Development Program Position Title and Salary Schedule and the proposed 2015-16 Community Development Program Position Title and Salary Schedule and have reviewed the Community Development Program funding and regulations with regard to the funding allocations.

NOW, THEREFORE, BE IT RESOLVED:

1. The Agency hereby finds that:
 - a. The continued employment of Agency employees funded by the Community Development Program to assist the Agency in the carrying out of its program of urban renewal pursuant to GML Articles 15 and 15-A at the highest level for the residents of White Plains is necessary and in the public interest;
 - b. Federal funding for Community Development has declined significantly over the past ten years;
 - c. Federal funding through the Community Development Program for Agency employees for fiscal year 2015-16 is available from HUD, subject to HUD regulations and continued approval of the Community Development Block Grant Program Budget by the Common Council;
 - d. The 2015-16 Community Development Program Position Title and Salary Schedule, effective July 1, 2015, reflects position title and allocation modifications listed herein above in paragraph I.
2. The Agency hereby approves the Amended 2015-16 Community Development Program Position Title and Salary Schedule revised in its entirety, effective July 1, 2015, as attached hereto as Exhibit A and made a part hereof.
3. The Agency hereby determines that all personnel cost shall be allocated and charged to the Community Development Program according to the percentage of salary allocation shown in Exhibits A hereof.
4. This Resolution shall take effect July 1, 2015 with respect to the 2015-16 Community Development Program Position Title and Salary Schedule.

Dated: July 16, 2015
Adopted: July 16, 2015

Exhibit A

**WHITE PLAINS URBAN RENEWAL AGENCY
Community Development Program
2015-16 POSITION TITLE AND SALARY SCHEDULE**

Effective July 1, 2015

Resolution #05-2015

| FULL TIME POSITIONS | | | |
|---------------------------------|-----------------------|-------------------|----------------------|
| Position Title | Funding Source | Grade/Step | Annual Salary |
| Rehabilitation Officer I | CD 005 - 100% | 12/2 | \$66,784 |
| Community Development Assistant | CD 090 - 50% | 10/1 | \$28,229 |
| | CD 005 - 50% | | \$28,229 |
| Code Enforcement Officer | CE 314 - 100% | 10/21 | \$77,648 |

| PART TIME POSITIONS | | | |
|--|-----------------------|-------------------|---|
| Position Title | Funding Source | Grade/Step | Annual Salary |
| PT Rehabilitation Program Representative | CD 005 | Hourly | \$30/hour, up to an annual maximum of \$7,000 |
| PT Community Development Analyst | CD090 | Hourly | \$30/hour, up to an annual maximum of \$31,500 |
| PT Community Development Clerical Aide | CD090 | Hourly | \$13.35/hour, up to an annual maximum of \$12,500 |
| PT Code Enforcement Officer | CE 314 | Hourly | \$37.50/hour, up to an annual maximum of \$33,750 |

Exhibit A

**WHITE PLAINS URBAN RENEWAL AGENCY
Community Development Program
2015-16 POSITION TITLE AND SALARY SCHEDULE**

Effective July 1, 2015

ADMINISTRATIVE CLARIFICATION 10/5/15

Resolution #05-2015

| FULL TIME POSITIONS | | | |
|---------------------------------|-----------------------|-------------------|----------------------|
| Position Title | Funding Source | Grade/Step | Annual Salary |
| Rehabilitation Officer I | CD 005 - 100% | 12/2 | \$66,784 |
| Community Development Assistant | CD 090 - 50% | 10/1 | \$28,229 |
| | CD 005 - 50% | | \$28,229 |
| * Code Enforcement Officer | CE 314 - 100% | 10/21 | \$77,648 |

* Code Enforcement Officer annual salary is \$76,648 plus \$1,000 longevity = \$77,648

| PART TIME POSITIONS | | | |
|--|-----------------------|-------------------|---|
| Position Title | Funding Source | Grade/Step | Annual Salary |
| PT Rehabilitation Program Representative | CD 005 | Hourly | \$30/hour, up to an annual maximum of \$7,000 |
| PT Community Development Analyst | CD090 | Hourly | \$30/hour, up to an annual maximum of \$31,500 |
| PT Community Development Clerical Aide | CD090 | Hourly | \$13.35/hour, up to an annual maximum of \$12,500 |
| PT Code Enforcement Officer | CE 314 | Hourly | \$37.50/hour, up to an annual maximum of \$33,750 |

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 06-2015

RESOLUTION APPOINTING CHRISTOPHER GOMEZ AS EXECUTIVE DIRECTOR OF THE WHITE PLAINS URBAN RENEWAL AGENCY.

WHEREAS, Christopher Gomez is the Planning Commissioner of the City of White Plains;

NOW, THEREFORE, BE IT RESOLVED THAT

1. The White Plains Urban Renewal Agency hereby appoints Christopher Gomez to serve as the Executive Director of the White Plains Urban Renewal Agency.
2. The Executive Director shall receive no additional salary and compensation for said office.
3. This resolution shall take effect immediately.

Dated: July 16, 2015

Adopted: July 16, 2015

APPENDIX D

BY-LAWS
of the
WHITE PLAINS URBAN RENEWAL AGENCY

ARTICLE I
THE AGENCY

Section 1 - Name of Agency: The name of the agency is the "White Plains Urban Renewal Agency."

Section 2 - Members: The agency consists of five members, pursuant to Chapter 573 of the Laws of 1963 of the State of New York.

Section 3 - Seal of the Agency: The seal of the agency shall be in the form of a circle and shall bear the inscription "White Plains Urban Renewal Agency, White Plains, New York, and the year of its incorporation, to wit, 1963."

Section 4 - Office of the Agency: The office of the agency shall be at 255 Main Street, White Plains, New York, or at such other place or places as the agency may, from time to time, designate.

ARTICLE II
OFFICERS AND EMPLOYEES

Section 1 - Officers: The officers of the agency shall be a chairman, vice chairman and secretary, who shall be elected at the annual meeting of the agency from among the members of the agency and shall hold office for one (1) year thereafter or until their successors are elected and qualified; and a Treasurer, as described in Section 6 hereof; and a Records Management Officer, as described in Section 8, who shall be appointed by the agency and serve at the pleasure of the agency.

Section 2 - Chairman: The Chairman shall preside at all meetings of the agency, appoint committees and perform such other duties

as may be required by law or as may be ordered by the agency, the Chairman shall sign all bonds, contracts, deeds, leases or other instruments made by the agency.

Section 3 - Vice Chairman: The Vice Chairman shall act in the capacity of the Chairman in his absence and shall perform all the duties of the Chairman, including the signing of documents as provided above in the absence or incapacity of the Chairman and during a vacancy in the office of Chairman.

Section 4 - Secretary and Assistant Secretary: The Secretary shall keep the records of the agency and shall record the names of the individuals in attendance and record all votes and shall keep a record of the proceedings of the agency in a minute book to be kept for such purpose. He shall keep in safe custody the seal of the agency and shall have the power to affix said seal to all contracts or instruments authorized to be executed by the agency and to attest to the authenticity thereof, and to certify as to the authenticity of copies thereof, and shall perform such other duties as the agency may determine. The agency shall also appoint or contract for an Assistant Secretary who, in the absence or disability of the Secretary,, shall perform all of the duties of the Secretary as set forth above.

Section 5 - Executive Director: The agency shall appoint an Executive Director who shall be the administrative head of the agency. He shall see that the plans, orders, directives, rules and contracts of the agency are faithfully executed. He shall attend all meetings of the agency. He

shall carry out all official correspondence and is authorized to prepare, sign and submit all applications, reports, forms, documents and records required or authorized by the agency. The Executive Director shall be authorized to requisition and purchase commodities where the cost of same shall not exceed \$5,000.00 and to contract for services where the cost of same shall not exceed \$7,000.00. The Executive Director is hereby authorized to effect, or in the case of site improvement contract awarded by the City, to concur in, changes in previously awarded demolition, site clearance and site improvement contracts, by the authorizing of Change Orders thereto, up to the following amounts:

- i) Demolition - \$7,000.00
- ii) Site clearance - \$7,000.00
- iii) Site improvements - \$10,000,

but in no event shall any Change Order for demolition, site clearance or site improvements amount to more than 10% of the original contract amount. The transfer of any funds necessary to carry out the work provided by such Change Order shall be made upon requisition by the Commissioner of Public Works to the Agency and approval of such requisition by the Executive Director.

The Executive Director shall inform the agency at its next regularly scheduled meeting of any change orders authorized by him since its previous meeting. The Executive Director shall serve at the pleasure of the agency. He shall receive such compensation as shall be fixed by the agency and may be bonded as the agency may deem necessary.

Section 6 - Treasurer and Assistant Treasurer: The Treasurer shall be responsible to the agency and shall have care and custody of all funds of the agency and shall deposit the same in the name of the Agency in such bank or banks as the agency shall select. He shall disburse funds on behalf of the agency and shall have the authority to issue checks when he is in receipt of a payment voucher duly certified by the Executive Director or by the Budget Officer who shall be appointed by the Executive Director. He shall also jointly sign all bonds of the agency with the Chairman. The agency shall also appoint or contract for an Assistant Treasurer who, in the absence or disability of the Treasurer, shall perform the duties of the Treasurer as set forth above, except for the signing of bonds of the agency.

Section 7 - Attorney and Assistant Attorney: The agency shall appoint or contract for an Attorney who shall be responsible to the agency. He shall be the legal advisor to the agency and the Executive Director, the Treasurer and other officials of the agency. He shall furnish opinions or written reports on any question of law involving the agency. He shall draw or approve all bonds, contracts, deeds or other instruments to which the agency is a party or in which it has an interest. The agency may also appoint or contract for an Assistant Attorney who, in the absence or disability of the Attorney, shall perform all the duties of the Attorney as set forth above.

Section 8 - Records Management Officer and Assistant Records Management Officer: The Agency shall appoint a Records Management Officer who

shall be an officer of the Agency. The Records Management Officer shall be responsible for the agency's compliance with the requirements of Article 54-A of the Arts and Cultural Affairs Law. The agency shall also appoint an Assistant Records Management Officer who, in the absence or disability of the Records Management Officer, shall perform all the duties of the Records Management Officer.

Section 9 - Other Employees: Such other employees as the agency shall determine are necessary for the proper administration of the urban renewal program shall be appointed and shall be subject to removal by the Executive Director.

Section 10 - Powers and Duties of the Members: The powers and duties of the members of the agency shall be as set forth in Article XV-A of the General Municipal Law of the State of New York.

The members of the agency shall perform such duties as are incumbent upon them by reason of their office and shall be given such other responsibilities and duties as are incidental to the office and which may from time to time be authorized by resolution of the agency.

ARTICLE III

MEETINGS

Section 1 - Annual Meeting: The annual meeting of the agency shall be held on the third Tuesday in July or as soon thereafter as may be feasible, for the purpose of receiving the annual report of the Executive Director, election of officers and for the conduct of such other business as may come before the meeting.

Section 2 - Regular Meetings: Regular meetings of the agency shall be held on the third Tuesday of the month or as needed for the transaction of business of the agency. In the event that the date of a regular meeting shall fall on a legal holiday the meeting shall be held on a day as close thereto as possible, said date to be determined by the Chairman. Notice of such meeting with an agenda shall be delivered to each of the members at least four (4) days in advance of such meeting.

Section 3 - Special Meetings: Special meetings may be called by the Chairman when he deems it advisable and shall be called by him at the request of any two members of the agency for the purpose of transacting any business designated in the call. At the special meeting the business to be transacted shall be only that stated in the notice of such meeting, except that any other business may be transacted at such meeting by the unanimous consent of all the members of the agency.

The call for a special meeting may be delivered to any member of the agency or left at the residence or place of business or may be mailed to his business or home address and such delivery or mailing must be performed at least two (2) days prior to the date of such meeting.

Section 4 - Quorum: At all meetings of the agency the following shall be the order of business:

- A. Roll Call
- B. Reading and approval of the minutes of the previous meeting and any intervening special meeting

- C. Communications
- D. Report of the Executive Director
- E. Reports of committees
- F. Unfinished business
- G. New business
- H. Adjournment

ARTICLE IV
AMENDMENTS

Section 1 - Amendments to By-Laws: The by-laws may be amended at any stated or special meeting by a majority of the members of the agency provided the proposed amendment shall have been submitted in writing to the members of the agency at least five (5) days prior to the stated or special meeting at which a vote is taken on said proposed amendment.

APPENDIX E

APPENDIX E:

Board Performance Evaluation Questionnaire

Exhibit E

Confidential Evaluation of Board Performance

| Criteria | Agree | Somewhat Agree | Somewhat Disagree | Disagree |
|---|-------|----------------|-------------------|----------|
| Board members have a shared understanding of the mission and purpose of the Authority. | | | | |
| The policies, practices and decisions of the Board are always consistent with this mission. | | | | |
| Board members comprehend their role and fiduciary responsibilities and hold themselves and each other to these principles | | | | |
| The Board has adopted policies, by-laws, and practices for the effective governance, management and operations of the Authority and reviews these annually. | | | | |
| The Board sets clear and measurable performance goals for the Authority that contribute to accomplishing its mission. | | | | |
| The decisions made by Board members are arrived at through independent judgment and deliberation, free of political influence, pressure or self-interest. | | | | |
| Individual Board members communicate effectively with executive staff so as to be well informed on the status of all important issues. | | | | |
| Board members are knowledgeable about the Authority's programs, financial statements, reporting requirements, and other transactions. | | | | |
| The Board meets to review and approve all documents and reports prior to public release and is confident that the information being presented is accurate and complete. | | | | |
| The Board knows the statutory obligations of the Authority and if the Authority is in compliance with state law. | | | | |
| Board and committee meetings facilitate open, deliberate and thorough discussion, and the active participation of members. | | | | |
| Board members have sufficient opportunity to research, discuss, question and prepare before decisions are made and votes taken. | | | | |
| Individual Board members feel empowered to delay votes, defer agenda items, or table actions if they feel additional information or discussion is required. | | | | |
| The Board exercises appropriate oversight of the CEO and other executive staff, including setting performance expectations and reviewing performance annually | | | | |
| The Board has identified the areas of most risk to the Authority and works with management to implement risk mitigation strategies before problems occur. | | | | |
| Board members demonstrate leadership and vision and work respectfully with each other | | | | |

Date Completed: _____