

March 8, 2018

Approval of Minutes

RESOLVED, that the minutes of the meeting of the Corporation held on March 23, 2017, as presented to this meeting, are hereby approved and all actions taken by the Corporation's employees, officers or Directors in furtherance of the matters referred to therein are hereby ratified and approved as actions of the Corporation.

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March 8, 2018

Ratification of Environmental Services Contract Extension

RESOLVED, that the Corporation is hereby authorized to extend its contract for environmental services with AKRF, Inc., for a two-year period through September 30, 2019, as described in the materials presented to this meeting; and be it

FURTHER RESOLVED, that the expenditures approved hereby shall be allocated from funds included in the appropriate LMDC FYE 2018 and anticipated future Budgets for Planning and Administration or relevant Partial Action Plan; and be it

FURTHER RESOLVED, that the proper officers of the Corporation are hereby authorized to take any such action and to execute such instruments as may be necessary or appropriate to effect the foregoing; and be it

FURTHER RESOLVED, that all such actions previously taken in furtherance of the foregoing by the Corporation's employees, Officers or Directors are hereby ratified and approved in all respects.

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PROPOSED – NOT YET ACTED UPON.
AVAILABLE TO THE PUBLIC PURSUANT TO NEW YORK STATE OPEN MEETINGS LAW

March 8, 2018

Authorization to Amend the Subrecipient Agreement with the WTC Performing Arts Center, Inc. and to Amend Partial Action Plans 2, 4, 10, 11 and the Final Action Plan

RESOLVED, that the Corporation is hereby authorized to amend Partial Action Plans 2, 4, 10, 11, and the Final Action Plan to: reallocate \$1,374,609 in unspent funds from the Small Firm Attraction and Retention Grant Activity in Partial Action Plan (PAP) 2 to the Performing Arts Center Activity in PAP 11; reallocate \$217,356 in unspent funds from the World Trade Center Business Recovery Grant Activity in PAP 4 to the Performing Arts Center Program Activity in PAP 11; reallocate \$452,680 in unspent funds from the West Street Pedestrian Connections Activity in PAP 4 to the Performing Arts Center Activity in PAP 11; reallocate \$363,297 in unspent funds from the New York Stock Exchange Activity in PAP 10 to the Performing Arts Center Activity in PAP 11; reallocate \$26,365 in unspent funds from the Lower Manhattan Street Management Activity to the Performing Arts Center Activity in PAP 11; reallocate \$15,693 in unspent funds from the Lower Manhattan Ferry Service Activity in PAP 10 to the Performing Arts Center Activity in PAP 11; increase the total allocation for the Performing Arts Center in PAP 11 by \$2,450,000 from \$49,000,000 to \$51,450,000; transfer the remaining balance of the West Street Activities in PAP 4 to the Final Action Plan; as described in the materials presented to this meeting; and be it

FURTHER RESOLVED, that the proper officers of the Corporation are hereby authorized to submit for public comment and review by the federal Department of Housing and Urban Development ("HUD") the Amended Action Plans, as may be required; and be it

FURTHER RESOLVED, that the President of the Corporation or his designee shall be authorized to make such changes to the Amended Action Plans as may be necessary or appropriate to

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comport with applicable HUD requirements and to reflect any public comments solicited and received thereon; and be it

FURTHER RESOLVED, that the Corporation is hereby authorized to designate the World Trade Center Performing Arts Center Inc. (PAC, Inc.) as the entity to hold a real property interest in the PAC Site, to be in the form of a 99-year ground lease between PAC, Inc. and the Port Authority of New York and New Jersey (PANYNJ) with an option for PAC, Inc. to acquire fee title upon completion of construction for nominal consideration (PAC Lease), as contemplated in the World Trade Center Memorial and Cultural Program General Project Plan (GPP), as described in the materials presented to this meeting; and be it

FURTHER RESOLVED, that the Corporation is hereby authorized to amend its subrecipient agreement with PAC, Inc. by adding \$48,000,000 in funds to pay for a new activity in the subrecipient agreement which will consist of PAC, Inc. paying PANYNJ \$48,000,000 in LMDC funds upon closing on the PAC Lease in consideration for easements and other rights covering access and use of certain infrastructure, foundations and other subgrade elements of the PAC Site, as described in the materials presented to this meeting; and be it

FURTHER RESOLVED that the \$48,000,000 in expenditures approved hereby shall be allocated from funds included in the Performing Arts Center Activity in PAP 11; and be it

FURTHER RESOLVED, that the proper officers of the Corporation are hereby authorized to take any such action and to execute such instruments as may be necessary or appropriate to effect the foregoing; and be it

FURTHER RESOLVED, that all such actions previously taken in furtherance of the foregoing by the Corporation's employees, Officers or Directors are hereby ratified and approved in all respects.

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March 8, 2018

Authorization to Enter into a Subrecipient Agreement with the City of New York Department of Parks and Recreation for the Battery PlayScape Settlement Funds Program

RESOLVED, that upon completion of all environmental review, and following HUD's approval of LMDC's request for release of funds and certification for the Battery PlayScape Project, the Corporation is hereby authorized to enter into a subrecipient agreement from the slate of the 14 Settlement Funds projects approved by the Board on March 18, 2016 in an amount not to exceed \$6,000,000 City of New York Department of Parks and Recreation for the Battery PlayScape Program, as described in the materials presented to this meeting; and be it

FURTHER RESOLVED, that the expenditures approved hereby shall be allocated from funds included in the Settlement Funds activity in Partial Action Plan S-2; and be it

FURTHER RESOLVED, that the proper officers of the Corporation are hereby authorized to take any such action and to execute such instruments as may be necessary or appropriate to effect the foregoing.

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March 8, 2018

Authorization to Amend the Subrecipient Agreement with the City of New York Department of Small Business Services for the Pier 42 Project

RESOLVED, that the Corporation is hereby authorized to amend the subrecipient agreement with the City of New York Department of Small Business Services for the Pier 42 Project, by increasing the contract value by \$655,000 as described in the materials presented to this meeting; and be it

FURTHER RESOLVED, that the expenditures hereby approved shall be allocated from funds included in Partial Action Plan S-2 that were previously committed to the City of New York Department of Parks and Recreation for the same Pier 42 Project; and be it

FURTHER RESOLVED, that the proper officers of the Corporation are hereby authorized to take any such action and to execute such instruments as may be necessary or appropriate to effect the foregoing; and be it

FURTHER RESOLVED, that all such actions previously taken in furtherance of the foregoing by the Corporation's employees, Officers or Directors are hereby ratified and approved in all respects.

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March 8, 2018

Authorization to Extend the Subrecipient Agreement with Empire State Development for Job Creation and Retention Program

RESOLVED, that the Corporation is hereby authorized to amend its subrecipient agreement with Empire State Development to extend the date of grant payment processing for the Job Creation and Retention Program to December 31, 2022, as described in the materials presented to this meeting; and be it

FURTHER RESOLVED, that the proper officers of the Corporation are hereby authorized to take any such action and to execute such instruments as may be necessary or appropriate to effect the foregoing.

FURTHER RESOLVED, that all such actions previously taken in furtherance of the foregoing by the Corporation's employees, Officers or Directors are hereby ratified and approved in all respects.

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March 8, 2018

Approval of the Lower Manhattan Development Corporation
Budget for Fiscal Year 2018 - 2019

RESOLVED, that the budget of the Corporation for fiscal year 2018-2019 is hereby adopted as presented to this meeting; and be it

FURTHER RESOLVED, that the proper officers of the Corporation are authorized and directed to implement and carry out said budget for the Corporation and are directed to inform the Board of material variances from the budget; and be it

FURTHER RESOLVED, that all such actions previously taken in furtherance of the foregoing by the Corporation's employees, Officers or Directors are hereby ratified and approved in all respects.

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March 8, 2018

Authorization to Amend and Extend Office Space Agreement

RESOLVED, that the Corporation is hereby authorized to amend and extend the agreement with A&N Design Studio, Inc. d/b/a "Door3 Business Applications" (Door3) for use of a portion of its office space located at 22 Cortlandt Street, 11th Floor, as described in the materials presented to this meeting; and be it

FURTHER RESOLVED, that such amended agreement shall be for a one-year period commencing April 1, 2018 for an amount not to exceed \$155,000 in the aggregate, as described in the materials presented to this meeting; and be it

FURTHER RESOLVED, that the expenditures approved hereby shall be allocated from the Corporation's Fiscal Year End (FYE) 2019 Administration Budget; and be it

FURTHER RESOLVED, that the proper officers of the Corporation are hereby authorized to take any such action and to execute such instruments as may be necessary or appropriate to effect the foregoing.

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March 8, 2018

Authorization to Amend the Pre-Qualified Legal Counsel
Services Contracts

RESOLVED, that the Corporation is hereby authorized to extend its contracts for legal services with Carter Ledyard & Milburn, LLP and Venable LLP for two years through March 31, 2020, as described in the materials presented to this meeting; and be it

FURTHER RESOLVED, that the expenditures approved hereby shall be allocated from funds included in the appropriate LMDC FYE 2019 and anticipated FYE 2020 Budgets for Planning and Administration, or relevant Partial Action Plans; and be it

FURTHER RESOLVED, that the proper officers of the Corporation are hereby authorized to take any such action and to execute such instruments as may be necessary or appropriate to effect the foregoing; and be it

FURTHER RESOLVED, that all such actions previously taken in furtherance of the foregoing by the Corporation's employees, Officers or Directors are hereby ratified and approved in all respects.

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March 8, 2018

Authorization of Advertising Services Contract Extension

RESOLVED, that the Corporation is hereby authorized to extend its contract for advertising placement services with Miller Advertising for two years through March 31, 2020, as described in the materials presented to this meeting; and be it

FURTHER RESOLVED, that the expenditures approved hereby shall be allocated from funds included in the appropriate LMDC FYE 2019 and anticipated FYE 2020 Budgets for Planning and Administration or relevant Partial Action Plan; and be it

FURTHER RESOLVED, that the proper officers of the Corporation are hereby authorized to take any such action and to execute such instruments as may be necessary or appropriate to effect the foregoing; and be it

FURTHER RESOLVED, that all such actions previously taken in furtherance of the foregoing by the Corporation's employees, Officers or Directors are hereby ratified and approved in all respects.

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