

July 19, 2022

Approval of Minutes

RESOLVED, that the minutes of the meeting of the Corporation held on April 20, 2022, 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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PROPOSED – NOT YET ACTED UPON.
AVAILABLE TO THE PUBLIC PURSUANT TO NEW YORK STATE OPEN MEETINGS LAW

July 19, 2022

Ratification of The Alliance for Downtown New York Contract
Amendment

RESOLVED, that the Corporation is hereby authorized to amend the agreement with The Alliance for Downtown New York for Albany Street Temporary Plaza maintenance and other costs, to increase the contract value by \$29,000, to a total of \$113,000, , 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 130 Liberty Street activity in 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; 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

July 19, 2022

New York City (New York County) - 5 World Trade Center; World Trade Center Memorial and Cultural Program Land Use Improvement and Civic Project - Adoption of Amendment to Modified General Project Plan; Override of Local Zoning Regulations; Adoption of Essential Terms of VSC Easement, Deed and Project Documents; Authorization to Hold Public Hearing(s); Authorization to Dispose of Real Property in accordance with the Applicable Provisions of the Urban Development Corporation Act and Public Authorities Law; Authorization to Enter Into Initial Agreement; and Authorization to Take Related Actions.

RESOLVED, that, on the basis of the materials presented to this meeting (the "Materials"), a copy of which is hereby ordered filed with the records of the Corporation relating to the World Trade Center Memorial and Cultural Program Land Use Improvement and Civic Project (the "MGPP"), the Corporation does hereby affirm the findings previously made by the Corporation in connection with the MGPP as required by Section 10(c)(1), (2) and (3) of the New York State Urban Development Corporation Act (the "Act"); and be it

RESOLVED, that, on the basis of the Materials, after full consideration of the matters set forth or referred to therein, the Corporation hereby affirms the findings previously made by the Corporation in connection with the MGPP as required by Sections 10(d)(1), (2), (3) and (4) of the Act; and be it

RESOLVED, that, on the basis of the Materials, after full consideration of the matters set forth or referred to therein, the Corporation hereby affirms the finding previously made by the Corporation in connection with the MGPP that the requirements of Section 10(g) of the Act are satisfied; and be it

RESOLVED, subject to Section 16 of the Act, the Corporation does hereby adopt the Proposed Amendment to MGPP as presented to this meeting, together with such changes therein as any officer of the Corporation may deem appropriate, in such officer's sole discretion, a copy of which Proposed Amendment to MGPP, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

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RESOLVED, that, on the basis of the Materials, the Corporation hereby finds, pursuant to Section 16(3) of the Act, that it is not feasible or practicable for the Proposed Project described in the Materials to comply with all local zoning regulations and, accordingly, the Corporation hereby overrides the local zoning regulations as and to the extent described in the Proposed Amendment to MGPP for the specified purposes of the Proposed Project; and be it further

RESOLVED, that the officers of the Corporation or any such officer's designee, acting singly, be, and each of them hereby is, authorized in the name and on behalf of the Corporation to take all actions necessary or proper, in their respective sole discretion, to comply with the requirements of the Act in connection with the adoption of the Proposed Amendment to MGPP; and be it further

RESOLVED, that the Proposed Amendment to MGPP shall not be final until action is taken by the Corporation and by the Directors of the New York State Urban Development Corporation d/b/a Empire State Development ("ESD") as provided in the Act and until such time as all requirements of the Act and other applicable law in connection therewith have been satisfied; and be it further

RESOLVED, that, on the basis of the Materials, the Corporation hereby finds that there is no reasonable alternative to the proposed below-market dispositions of the Development Site described in the Materials that would achieve the same purpose of such dispositions; and be it

RESOLVED, that on the basis of the Materials and subject to Section 6 of the Act, the Corporation does hereby adopt the essential terms of the VSC Easement, Deed, and other Project Documents described in the Materials, together with such changes therein as any officer of the Corporation may deem appropriate, in such officer's sole discretion, and hereby finds that the same are in conformity with the MGPP, as amended; and be it further

RESOLVED, that the officers of the Corporation or any such officer's designee, acting singly, be, and each of them hereby is, authorized in the name and on behalf of the Corporation to hold public hearings on the Proposed Amendment to MGPP and the proposed disposition of property pursuant to the VSC Easement and Deed and the transactions contemplated thereby in accordance with the requirements of the Act; and be it further

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RESOLVED, that, on the basis of the Materials and subject to Section 6 of the Act, upon the effectiveness of the Proposed Amendment to MGPP, the Corporation is authorized to dispose of property by the execution and delivery of the VSC Easement to The Port Authority of New York and New Jersey and the Deed to ESD, and to execute and perform its obligations under the Initial Agreement and other Project Documents to which it is a party, substantially on the terms and conditions presented to this meeting, together with such changes therein as any officer of the Corporation or any such officer's designee, acting singly, may deem appropriate, in their respective sole discretion; and be it further

RESOLVED, that the Chair and President of the Corporation or their respective designee(s), acting singly, be, and each of them hereby is, authorized and directed in the name and on behalf of the Corporation to execute and deliver any and all documents and to take any and all actions necessary or proper, in their respective sole discretion, as may be necessary or appropriate to effectuate the foregoing resolutions.

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