

**LOWER MANHATTAN DEVELOPMENT CORPORATION**

Meeting of the Directors  
Held at the Offices of the Corporation  
One Liberty Plaza -20th Floor  
New York, New York 10006

March 13, 2003

**MINUTES**

**In Attendance**

**Directors:**

John C. Whitehead, Chairman  
Roland W. Betts  
Paul Crotty  
Robert Harding  
Sally Hernandez-Pinero (via telephone)  
Thomas Johnson  
Edward J. Malloy  
Billie Tsien (via telephone)  
Carl Weisbrod  
Madelyn Wils  
Frank Zarb

**Staff Attending:**

**For Lower Manhattan Development Corporation:**

Kevin Rampe, Interim President and General Counsel  
James Angley, Chief Financial Officer  
And Treasurer  
Jennifer Brown, Assistant Vice President for  
Community and Government Relations  
Daniel Ciniello, Vice President for  
Internal Audit  
Anita Contini, Vice President and Director  
for Memorial, Cultural and Civic Programs  
Ben Dookchitra, Project Manager  
Hugh Eastwood, Planner for Planning, Design  
And Development  
Alexander Garvin, Vice President for  
Planning, Design and Development  
Christopher Glaisek, Director of Urban  
Planning for Planning, Design & Development  
John Hatfield, Program Manager for Memorial,

Cultural & Civic Programs  
Matthew Higgins, Vice President for  
Communications  
Dyana Lee, Vice President for Investigations  
Peter Madden, Project Manager  
Eileen McEvoy, Assistant Secretary  
Amy Peterson, Project Director for  
Development Programs & Economics  
Nancy Poderycki, Assistant Vice President  
For Communication  
Stefan Pryor, Deputy to the Chairman  
and Secretary  
Beatrice Sibblies, Assistant Vice President  
For Development Programs & Economics  
Brandon Smith, Planner For Planning, Design  
And Development  
Tara Snow, Vice President for Community  
and Government Relations  
Sharon Tepper, Program Manager For Memorial,  
Cultural & Civic Programs  
Andrew Winters, Director of Design and  
Development

**For Governor George E. Pataki:**

Diana Taylor

**For Speaker Sheldon Silver:**

Judy Rapfogel, Chief of Staff  
Yvonne Morrow

**For Chairman Whitehead:**

Edward Novotny, Chief Press Advisor

**Also Present:**

Jason R. Lilien, Esq.  
Weil, Gotshal & Manges LLP

The Public  
The Media and Press

The meeting of the Lower Manhattan Development Corporation ("LMDC") was called to order at 8:05 a.m. It was noted for the record that notice to the public and news media of the time and place of the meeting had been given in compliance with the New York State Open Meetings Law.

The first order of business was the approval of the Minutes of the February 13, 2003 Directors' Meeting. Upon motion duly made and seconded, the following resolution was unanimously adopted:

APPROVAL OF MINUTES AND RATIFICATIONS OF ACTIONS TAKEN AT  
THE FEBRUARY 13, 2002 MEETING OF THE DIRECTORS OF THE LOWER  
MANHATTAN DEVELOPMENT CORPORATION

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RESOLVED, that the minutes of the meeting of the Corporation held on February 13, 2002, as presented to this meeting, are hereby approved and all actions taken by the Directors presented at such meeting, as set forth in such minutes, are hereby in all respects and approved as actions of the Corporation.

\* \* \*

Chairman Whitehead began his report by welcoming Mr. Rampe to the meeting in his new capacity as Interim President of LMDC. The Chairman then stated that the biggest news since the last Board meeting was the selection of the final plan for the development of the World Trade Center site and he congratulated Studio Daniel Libeskind on the selection of their design.

Lastly, the Chairman provided a brief overview of the meeting Agenda. He then turned the meeting over to Mr. Rampe to provide the President's Report.

Mr. Rampe opened his report by echoing the Chairman's sentiment with regard to the selection of the design for the site being a critical milestone in the redevelopment. He then went on to provide a synopsis of the presentations to be provided at the meeting.

Next, Director Betts presented the background information with regard to a request for additional expenditures under LMDC's contract with Studio Daniel Libeskind. Director Betts outlined the anticipated additional services under said contract and the Chairman read a resolution into the record with regard to same. Upon motion duly made and seconded, the following resolution was unanimously adopted:

Authorization of Additional Expenditures pursuant to  
Contract with Studio Daniel Libeskind

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RESOLVED, that the Corporation is hereby authorized to increase the expenditures under its agreement with Studio Daniel Libeskind by \$180,000 to an amount not to exceed \$548,817; and be it

FURTHER RESOLVED, that such additional expenditures shall cover a one-month period commencing on the date hereof and be used to provide additional design consulting services to the Corporation relating to, among other things, technical aspects of the Memorial District, sites for cultural development and public presentations on the developing World Trade Center site plan; and be it

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

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Mr. Garvin then provided an update on LMDC's off-site planning activities. He explained that the goal of LMDC's planning efforts is to create a 21<sup>st</sup> Century Downtown for New York City. Mr. Garvin further noted that Mayor Bloomberg's vision has provided a blueprint for this work.

Following Mr. Garvin's step-by-step analysis of the work done thus far, as well as of future off-site planning work, Director Crotty asked that the Directors be provided with a chart which lists all of the contractors and consultants along with the scope of their responsibilities and deliverables. Mr. Garvin agreed to have such a chart prepared and provided to the Directors.

Director Crotty then voiced some concern with regard to the

possibility that the landmarking of some of the buildings in the area will move ahead more quickly than the planning process which, in turn, could potentially impede development. Mr. Garvin assured Director Crotty that LMDC is in discussions with city and state agencies with regard to those types of issues.

Next, Director Weisbrod asked Mr. Garvin to provide an update on the range of options for the Fulton/Broadway Corridor including the location of the proposed park mentioned by the Mayor in his vision statement.

Mr. Garvin explained that at only two weeks into the consultant contract, several different versions exist and that it was premature to discuss proposed options and/or potential park locations.

Director Johnson then stated his belief that any concept of the Fulton Street Corridor being the completion of a loop that has real mass and meaning would imply a street that is considerably wider for most of its length than it presently is. Mr. Garvin noted that wide open spaces already existed, such as the one near Southbridge Towers.

Next, Director Wils expressed her enthusiasm for the concepts presented. She then voiced a concern related to the

unoccupied Deutsche Bank and Post Office buildings and requested that LMDC work with the various government entities to see what can be done to accelerate decisions that need to be made regarding the future of the buildings. The Chairman noted that insurance matters need to be resolved before a determination is made by the owner as to how to move forward and that Deutsche Bank has assured him that they are attempting to reach a conclusion as quickly as possible.

Before the discussion closed on Mr. Garvin's presentation, Director Crotty inquired as to the MTA's participation in the Fulton Street planning process. Specifically, he asked if the possibility existed that the MTA would move past the functional design for the Fulton Transit Center they have right now. Mr. Garvin stated that the LMDC has engaged the MTA in this study in order to attempt to find ways to take the MTA to the next step with regard to design.

The Chairman thanked Mr. Garvin for his excellent report and Interim President Rampe informed Director Crotty that a chart such as he had requested earlier in the meeting will be provided to the Directors.

Next, the Chairman called on Director Johnson, who opened

the report on proposed minor modifications to the Memorial Mission Statement and Program. Director Johnson then asked Ms. Contini to provide additional information in that regard.

First, Ms. Contini provided an update on the status of the memorial process. She then explained the proposed revisions to the Memorial Mission Statement and Program, noting that the Memorial Board Working Group supports the changes that she mentioned.

Following Ms. Contini's presentation, there was a discussion as to whether or not the Directors should formulate a resolution to formally adopt these revisions. In particular, Director Johnson requested that it be noted for the record and provided in a resolution that it is the position of the LMDC Board that there will be one memorial, which will not have a hierarchy of victims. It was ultimately decided that a resolution on the Mission Statement and Program would be prepared and provided to the Directors for consideration at their next meeting.

Ms. Peterson then outlined the numerous measures that LMDC was taking in conjunction with the government agencies and civic groups to increase the participation of minorities and women in the rebuilding process.



Director Hernandez-Pinero asked if LMDC has an Affirmative Action Officer and if there is a plan in place to ensure minority participation. Ms. Peterson noted that ESDC's Affirmative Action Officer - Laverne Poole - is LMDC's Officer as well. She further explained that LMDC has hired Carl Cook, who will be responsible for program monitoring. One of the components to be monitored will be MWBE compliance. LMDC, Ms. Peterson further explained, will work jointly with the Port Authority and the other responsible agencies to make sure that there is an overall plan moving forward to ensure increased minority and women participation.

An audit and finance report was then provided by Director Zarb. The matters addressed by Director Zarb included the policy regarding the participation of LMDC Board Members and employees in the Residential Grant Program. He explained that the policy, which had been presented to the Directors last month, allows most employees to participate as long as public disclosure is made and excludes LMDC Board Members from participation in this program. Director Zarb noted that Anita Contini and John Hatfield had both submitted applications.

A brief discussion was had with regard to the reasoning

behind the Board's decision to exclude Directors from eligibility in the program and Director Zarb and Interim President Rampe explained the rationale.

Ms. Lee then provided the Directors with a report on LMDC's fraud investigation. Ms. Lee explained that LMDC's safeguards have been successful thus far in rooting out fraudulent claims and that one arrest has been made in connection with the LMDC Residential Grant Program.

There being no further business, the meeting was adjourned at 9:20 a.m.

Respectfully submitted,

Eileen McEvoy  
Assistant Secretary