

Resolution #7a)

RESOLUTION OF THE GLEN COVE INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE SUBMISSION OF THE AGENCY ANNUAL ACCOMPLISHMENTS AND PERFORMANCE REPORTING FOR FYE 12-31-21 TO THE NEW YORK STATE AUTHORITIES BUDGET OFFICE

WHEREAS, the Glen Cove IDA Governance Committee met on February 22, 2022 to review the annual accomplishments and performance goals as outlined in the attached report as well as summary of the confidential results of the annual board evaluation.

WHEREAS, the Governance Committee hereby recommends submission of the attached 2021 Accomplishments Report as outlined herein to the New York State Authorities Budget Office (NYS ABO).

NOW, THEREFORE, BE IT RESOLVED that the Glen Cove Industrial Development Agency is hereby authorized to submit the annual board evaluation and accomplishments/performance goal report to the NYS ABO on or before March 31, 2022.

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

	<u>VOTING</u>
Chairperson Panzenbeck	AYE
Vice Chair Hartley	AYE
James Cappiello	AYE
Grady Farnan	AYE
John Fielding	AYE
Thomas Hopke	AYE
Dave Jimenez	AYE

The foregoing Resolution is thereupon declared duly adopted.

GC IDA
ENTERED
3-22-22
Or

**Glen Cove Industrial Development Agency
Measurement Report FYE 12/31/21
Governance Committee Meeting 2/22/22**

IDA Mission Statement: The Glen Cove IDA is authorized to promote, facilitate, and assist in the acquisition, construction, and improvement of industrial, commercial, cultural, and educational facilities that advance economic welfare of the community by job creation, economic activity, and prosperity for the residents of the City of Glen Cove.

The Mission Statement is reaffirmed annually by the board members and was reaffirmed by the board at the March 22, 2022 board meeting approving this report. The initial approval of the mission statement by the board members took place on 3/10/2011.

Answers to 5 questions:

- 1. Have the board members acknowledged that they have read and understood the mission of the public authority?**
 - a. The board members acknowledged that they have read and understood the mission of the Glen Cove IDA.
- 2. Who has the power to appoint the management of the public authority?**
 - a. The Chairman has the power to appoint the management of the Glen Cove IDA.
- 3. If the board appoints management, do you have a policy you follow when appointing the management of the public authority?**
 - a. This is not applicable as the Chairman appoints management.
- 4. Briefly describe the role of the Board and the role of management in the implementation of the mission.**
 - a. The role of the Board regarding the implementation of the public authority's mission is to provide strategic input, guidance, oversight, mission authorization, policy setting and validation of the authority's mission, measurements, and results. The role of management is to collaborate with the board in strategy development / strategy authorization and to implement established programs, processes, activities, and policies to achieve the public authority's mission.
- 5. Has the board acknowledged that they have read and understood the response of each of the questions?**
 - a. The Board of Directors acknowledged that it has read and understood the responses to these questions and approving their submission.

Glen Cove IDA Performance Measurement Report for the year ending December 31, 2021.

Performance Goal #1. *To operate in a fiscally conscientious and responsible manner.*

Performance Measurement: The IDA obtained its goals of being fiscally conscientious and responsible as well as operating in a transparent and easily accessible manner for the year 2021. The IDA has consistently filed all reporting with ABO in a timely manner as well as instituting any new policies or requirements mandated or suggested by the ABO. The IDA also responded to all inquiries regarding project data from the ABO. In June 2021, amendments were incorporated into the IDA By-Laws to align its policies and procedures to comply with current best practices in governance and applicable laws in Article 18-A of the General Municipal Law, including, without limitation, the Public Authorities

Accountability Act of 2005; Public Authorities Reform Act (PARA) of 2009, PARA audit of 2019 and New York State Office of the Comptroller (OSC) Project Review and Monitoring audit report released July 2021. The IDA's Corrective Action Plan was received by OSC in October 2021. Amendments were made in keeping with gender neutrality, formalizing procedures to approve financial reports, more detail on the role of board members and officers, procedure of filing annual financial disclosure and the separation of audit/finance committee into two separate committees. The amended By-Laws also incorporated flexibility in board meeting scheduling. The IDA By-Laws had not been updated since 2008.

The Audit and Finance Committees met periodically during the year to review and approve the Annual Budget and Annual Financial Report as well as monitored the investing and internal control policies of the Agency. The Committees reported no findings to the Board. The Agency's auditors had no findings for the IDA for the year ending December 31, 2021. The IDA's Straight lease programs have paid their PILOTs in a timely fashion as well as creating and maintaining the number of full-time jobs, (FTE's) agreed to in their agreements. On September 29, 2021, the IDA board approved a formalized procedure for conducting site visits for financial aid assistance recipients to verify the FTE's and report on improvements to the building made by the project owner. This procedure involves the Executive Director to go to the site and meet with management and take notes/photos that is then reported to the board members. The Board Secretary ensures that all members and officers of the board file an annual financial disclosure form to be kept on file with the IDA Board Secretary to identify any conflicts of interest of the member/officer relative to the business of the Agency.

Performance Goal #2. *To continually assess the needs and opportunities of the City's business community, and to strive to apply the Agency's services where they will create the most benefit and economic vitality.*

Performance Measurement: The IDA has met the goal of assessing the needs and opportunities of the City's business community for 2021. The IDA works with the Glen Cove Business Improvement District (BID), Chamber of Commerce and Inter-Agency Council (IAC) to identify what businesses are needed in the Downtown area and then actively recruiting these types of businesses through direct communications, and meetings and calls with stakeholders. The IDA continues to participate in the Long Island Economic Collective Digital Marketing Campaign, which includes all eight IDAs on Long Island and well as the support of Discover Long Island and National Grid. The IDA was featured in the Long Island Intelligence Report, with distribution of print and digital copies. This Report was featured in Site Selection magazine, with national exposure. The LI Economic Development Collective also launched a webpage: <https://www.discoverlongisland.com/business>. The IDA collaborates with other city organizations and agencies (such as the Business Improvement District Board, the Chamber of Commerce, the Inter-Agency Council, and others) and participates in several business focus groups and town hall meetings in order to enhance communication and obtain feedback.

Performance Goal #3. *To meet the economic and sustainability needs of the community through application of various economic incentives and programs.*

Performance Measurement: The IDA has met this goal in 2021 with continued use of the IDA straight lease and bond programs.

In 2014, the City created a new corporation the **Glen Cove Local Economic Assistance Corporation**, (“GCLEAC”) to assist the National Healthplex, (d/b/a “**The Regency at Glen Cove**”) The ability to refinance their debt has allowed the Regency to: a) increase the assisted living unit count by three units from 96 to 99 units; b) create additional common space and other aesthetic and functional improvements within the building; c) improve the School Street façade and construct a new 22 memory care unit (making the total unit count 121). The improvements should significantly enhance the quality of life for the residents. This project began construction in May 2016 and will create 16 new full-time jobs as well as 11 construction phase jobs. The construction of the Alzheimer’s units was completed in late 2019 and produced 752 full time equivalent construction and construction related jobs. The Ribbon cutting for the newly named Safe Harbor took place on January 30, 2020.

The IDA Board approved the assignment and transfer of the Avalon South PILOT and related documents to Fairfield Glen Cove South Owner LLC in June 2021. IDA staff conducted an on-site visit of the Fairfield South property in October 2021.

In July 2021, the IDA closed on the **Breton Hills property** with Arcadia Landing LLC. The IDA Board approved sales tax exemptions for the project in April 2020. Breton Hills is comprised of 72 age-restricted residential units.

The IDA closed on the property known as **The Villas** with 135 Glen Cove Avenue Corp. in December 2021 and received administrative fees of \$421,238. The project will consist of 6 residential buildings of 176 units aggregating 353,394 sq. ft. of space. 16 of those residential units will be affordable. The IDA Board had approved sales and mortgage recording tax exemptions for the project, in addition to a 10-year PILOT, with an option for the PILOT to be extended to 12 years if the following conditions are met: (a) at least 30% of the employees engaged by the Company in the construction of the project are Glen Cove residents earning a prevailing wage; and (b) the Company has made a good faith effort to fill the anticipated 6 FTEs after completion of the project with Glen Cove residents.

The IDA closed on the **Village Square property** with RXR Glen Cove Village Square Owner LLC, in December 2017 and received administrative fees of \$309,736. This 2.5-acre, five story, mixed use project is located in the Downtown Business Improvement District (BID) and centered on a large public plaza, which will help revitalize the downtown area by creating approximately 146 residential rental housing units, including 13 workforce units, approximately 15,000 square feet of commercial space and, including approximately 1,900 square feet of medical office space and 171 parking spaces on site. The IDA estimates 15-25 full time jobs will be created from this project as well as 100-150 construction jobs. The City also received a PILOP fee for \$207K. The parking lease agreement entails that RXR rent at least 25 spaces per month in the Brewster Street Garage for \$65 per month and allows up to 75 spots for residents in the garage based on demand. The project began in August of 2017, with RXR starting the demolition of the buildings on the property. Construction continued in 2019 with the majority of vertical and façade work completed. The large public plaza was also substantially completed in 2019. Construction concluded in 2020 with a ribbon cutting held in October of 2020. Additionally, a lottery for the 13 affordable units was held in June of 2020 with the support of the Long Island Housing Partnership. Pre-leasing began in summer 2020, with full lease-up of the residential units in 2021; demand for the units is high. In December 2020, the City and RXR held a dedication ceremony for the public plaza. In 2021, the BID hosted the Downtown Sounds summer musical series in the plaza, with nearby restaurants participating in outdoor dining opportunities. . In 2021, the plaza and retail space continued to host the Deep Roots Farmers Market, tree lighting, and Winter Festival during the winter months. During 2021, RXR executed a lease with Chase; Chase relocated their former retail branch on

Forest Avenue to a space in the ground floor retail of Village Square. Currently, RXR is negotiating ground level retail leases with a Mexican eatery and smoothie shop, both with anticipated outdoor seating.

The IDA closed on the **Waterfront Revitalization Project (Garvies Point)** in November 2016 and continues to work with RXR in constructing the Public Amenities and green space for use by the residents of Glen Cove. The public amenities are 99% completed including marina, dog park, esplanade, playground, boat ramp, bathrooms, ferry site parking lot pavement. Angler Club docks are now complete as of February 2022. This project will benefit the City of Glen Cove, its residents, and Nassau County by reclaiming blighted industrial waterfront property for public benefit and enjoyment through creating open space, luxury and workforce housing and retail/office space. RXR (developer of Garvies Point waterfront destination) will create more than 460 direct and indirect jobs per year during construction and will support more than 220 jobs post-completion. There will also be new tax revenues and money infused into the Glen Cove economy. Three residential buildings are being developed during phase I of construction. Building H-rentals (177 units) and Building I-rentals (208 units), also known as Harbor Landing is open for occupancy, with Building H resident move-ins that started during fall 2019. . Brendel's Bagels and Building I at Harbor Landing opened in fall 2020. As of 2021, Harbor Landing is fully leased-up. The Building B-condos (167 units known as The Beacon) leasing office opened at the end of 2019, with closings and move-ins which began in early 2020. At the end of 2021, Building B had approximately 65% of the units sold and in contract. In 2021, work on Phase 1 (east of the Ferry Terminal) of the public amenities was substantially completed and opened to the public. The U.S. Army Corp. of Engineers (ACOE) issued its Bulkhead/Marina Permit for the project on August 17, 2018, with subsequent amendments approved in the following years. The old Angler's Club was removed and replaced with a new building in 2019. The Certificate of Occupancy was issued in early 2020, with a ribbon cutting held thereafter. The Angler's Club Marina was completed in 2020; however, installation of the finger docks had been put on hold pending a waiver request for 20 ft docks to the ACOE (granted in 2021). The longer finger docks are on-site for installation in early 2022. Additional work to stabilize the open cell bulkhead at the Transient Marina was completed in 2021. Public roadway work in Phase I (Dickson Street, Road F and Road G) is complete and open to the public. Phase 2 (west of the ferry terminal) of the public amenities was completed in 2021 and opened to the public; this includes Road D parking adjacent to the ferry terminal and dog park as well as a public parking lot adjacent to Building B and Garvies Point Park. The Deep Roots Farmer's Market is located in the public parking lot near Building B during the summer months. All of the outside furniture has been installed and the Ecology Pier and playground were completed and opened to the public in 2021. The dog park was previously completed and opened to the public in winter 2021. the entire Phase I and Phase II Waterfront Esplanade was completed and opened to the public by the end of 2021. Both gazebos have been constructed and furnished. The public bathrooms on the west of the ferry terminal and boat attendant building (with public bathrooms) at the terminus of Garvies Point Road were completed and opened to the public in 2021. A total of \$70,990,659 has been spent on the Public Amenities at the Waterfront, as of December 31, 2021.

In April 2020, the IDA Board approved the addition of the **Garvies Point Brewery** as part of the RXR Garvies Point project at the Waterfront, along with modifications to the original Marina Building #1. RXR sought to activate the east end of the project and public amenities with the addition of the Brewery, with indoor and outdoor dining space, which relocates an existing Waterfront business looking to expand operations to another location across the road. The Brewery building will retain the office space and public restrooms that were envisioned for the original marina building. At this time, the IDA Board also appointed the Garvies Point Master Association, Inc. (HOA) to an initial five-year term to oversee

and manage the maintenance of the Public Use Easement Areas and Public Improvements. This requires the HOA to enter into a Maintenance Agreement with the IDA. As of the end of 2021, the Brewery is approximately 60% complete, with a targeted late spring opening.

In September 2020, the IDA Board granted an extension of the sales tax benefit at Garvies Point to RXR, consistent with a **PUD Amendment** RXR is seeking approval of from the Planning Board and an updated construction timetable. The IDA Board also consented to RXR's application to the Planning Board for the PUD Amendment and noted special considerations for the Planning Board in their review within the approving resolution. As of the end of 2021, the PUD Amendment is pending Planning Board approval.

In August 2020, the IDA granted sales and mortgage tax exemptions to the **Georgica Green Ventures LLC** affordable housing project at Garvies Point. This project will provide 55 units of affordable rental housing to the City at the Waterfront. In 2019, the IDA Board consented to the transfer of Block G (part of Garvies Point) from RXR to Georgica Green. The closing on the property occurred in 2021 following IDA Board approval of a PILOT extension with construction approximately 30% complete (foundations, footings, and elevator shafts installed) as of the end of the year. The housing lottery for the workforce rental units is anticipated in Spring 2023.

The **Ferry Terminal Building** was completed in December 2015 and full project close-out was completed in 2017 with all grant funding reimbursed. Paving and striping of the Ferry Terminal parking lot was completed in 2021 in coordination with RXR and the public amenities work. The City released an RFP for a Ferry Operator in November 2017. Two respondents submitted proposals. The City of Glen Cove accepted the proposal of Hornblower Metro Ferry LLC with the commencement of service targeted for May 2020. The City requested an extension from FHWA and NYSDOT who were the funding agencies for the project and approval was granted to delay the commencement of ferry service to May 2020, to allow time for the Garvies Point (Phase I), Village Square, and Herb Hill/Garvies Point Road projects to be completed reducing the hazardous construction conditions that would be at and around the ferry terminal site. A detailed action plan with milestones to achieve this goal was developed in 2018 and approved for implementation by the FHWA and NYSDOT during 2019. The IDA assisted the City in the RFP process for operator and the City entered into a letter of intent to contract with Hornblower Metro Ferry, LLC in January 2020. However, due to the Covid-19 pandemic, the NYSDOT and FHWA have agreed to an indefinite postponement of the City's commuter ferry service at this time. The City entered into a one-year agreement with Eastern Star Dinner/Event Cruises in May 2019 for a one-year term at an annual cost of \$15,000.00. Eastern Stars operations were impacted by the Covid-19 pandemic in 2020 and the City and Eastern Star are negotiating terms for a potential future agreement.

The **Herb Hill/Garvies Point Road Reconstruction** contract was awarded in January 2017. The team worked with NYSDEC to develop an Excavation Work Plan (EWP) approved by NYSDEC in early November 2017. In 2019, substantial work (approximately 80%) was completed on the project, including the installation of underground utilities (sewer, water, drainage, telecommunications) from the terminus at the west end of Garvies Point Road to near the Slant Fin property. The installation of a temporary bypass at the intersection of Herb Hill Rd., Garvies Point Rd. and Dickson St. was also completed by RXR to facilitate work on the project in 2019. As of late spring 2020, the project was fully completed, transforming the one mile, degraded and inadequate roadway into a corridor for the Waterfront, with new pedestrian sidewalks; sanitary sewer, water, telecommunications, electrical utilities; and stormwater management infrastructure. In addition, the roadway was elevated, with utilities relocated underground, providing resiliency measures for major storm events. Funding for the road project will be provided by NYSDOT, \$6.5 million and \$2.5 million by Empire State Development.

The balance of the funding will be paid from bond proceeds totaling \$15,942,847 for the road. Due to escalation caused by project delays and cost increases resulting from the requirements imposed by the NYSDEC and water management issues, the City worked with the IDA, GCLEAC, and RXR to make up to approximately \$13.7M available from the Public Amenities account to the City account for the Road project, as needed. This was memorialized in several agreements executed between the parties, including the First Amendment to the Trust Indenture, PIF Agreement, and Road Agreement. As of the end of 2021, approximately \$7,534,194 was transferred to the City account from the Public Amenities account for the road. Approximately \$28,904,142 has been spent on the road construction, with the final payment for construction being held due to a restraining notice and subpoena related to the contractor. NYSDOT has been notified by the CDA of the situation. As of the end of 2021, approximately \$6,667, 595 has been reimbursed by NYSDOT for the project. During 2021, ESD Board approval for the grant reimbursement was received; the Grant Disbursement Agreement was reviewed and executed; and the CDA responded to numerous ESD audit requests. The full \$2,500,000 grant reimbursement from ESD was received in December 2021 closing out the grant. The CDA received approval for all project close-out materials for NYSDOT submitted in 2021. Once the final construction payment issue is resolved, the CDA will invoice for the remaining approximately \$425,468 in NYSDOT funding.

Performance Goal #4: *To encourage businesses to benefit from IDA programs by clearly communicating the programs available.*

Performance Measurement: The IDA has successfully met this goal in 2021 by keeping the website current with information about the programs that are offered by the IDA along with what benefits the IDA can provide to qualified companies seeking financial assistance. NYS-OSC has mandated that IDA's put more project information on their websites as well as live stream their meetings. For each project from 2016 on, the IDA has posted the project Application, Authorizing Resolution, PILOT, and the Annual Assessment Report. The IDA Executive Director is available to answer any questions that potential clients may have in a timely fashion. The Executive Director reports monthly (and as needed) to the Board members and Chairman on all projects of the Agency. This information is also disseminated by the board and Chairman to the public. The Director also meets with the Glen Cove BID on a monthly basis to ensure all are working together to bring business into Glen Cove and to resolve any problems in this process. In an effort to streamline the IDA process for potential applicants, the IDA adopted the creation of a Transaction Committee to screen applicants and bring only qualified applicants to the board without waiting for the next board meeting. The Committee is comprised of the IDA Chairman, IDA Executive Director and the IDA Attorney. Prospective applicant projects are then brought to the board for approval to take preliminary action such as public hearing, economic impact analysis, etc. In certain circumstances, the IDA Chairman and Executive Director choose to bring preliminary matters to the full IDA Board instead of the Transaction Committee.

The IDA Chairman and Executive Director had discussions with approximately 10 developers throughout 2021. Due to the Covid-19 pandemic, many of these discussions were held on virtual platforms such as Microsoft Teams and Zoom as well as by conference call, although in-person meetings did resume during 2021. The IDA ensured that materials were available electronically via the website and by email. These preliminary discussions underscore our business-friendly environment as well as provide valuable feedback to encourage projects that are a good fit for the city.

Performance Goal #5: *To cultivate and maintain community trust and engagement by operating in a transparent and easily accessible manner.*

Performance Measurement: The IDA has achieved this goal in 2021 by keeping the residents of Glen Cove informed of ongoing projects and addressing any concerns that they may have during monthly IDA board meetings and/or City Council meetings, ensuring that the IDA website is kept up to date with current information about projects, and by also having public meetings when needed or requested. IDA management is also easily accessible by promoting an open-door policy whereby residents, board members and employees are always welcome to speak to the Executive Director and the Chairman about any concerns or comments they may have. In particular, the staff and IDA counsel has committed to providing more time between public hearings for projects and IDA decision making. As a matter of policy, IDA staff will be providing adequate time (such as weeks) between the distribution of project materials, public hearings and voting on project resolutions by the IDA Board. Both Board and public comment will be addressed with at least a week of review of the IDA staff and/or applicant responses by the IDA Board before bringing the matter to vote. Due to the Covid-19 pandemic and by Open Meetings Law Executive Order 202.1 of the State of New York, the majority of Board meetings, Committee meetings and public hearings were held on virtual platforms, such as Microsoft Teams, with a conference call option. Meetings were noticed with these instructions and information for accessing virtual meetings and calls were provided on the IDA and City of Glen Cove websites. Livestreams of the IDA meetings and public hearings are available for viewing in accordance with the Open Meetings Law, Executive Order 202.1.

3/24/22 final