

Hugh L. Carey Battery Park City Authority
Meeting of the Members
200 Liberty Street, 24th floor
New York, New York 10281
October 28, 2020
2:00 p.m.

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF THE SEPTEMBER 30, 2020 MINUTES
- III. MOTION TO CONDUCT EXECUTIVE SESSION TO DISCUSS THE NEGOTIATIONS RELATED TO THE LEASE OF REAL PROPERTY, THE PUBLICITY OF WHICH COULD SUBSTANTIALLY AFFECT THE VALUE OF THE RELEVANT PROPERTIES.
- IV. PUBLIC COMMENT
- V. M/WBE REPORT
- VI. AUDIT & FINANCE COMMITTEE REPORT
- VII. RESILIENCY UPDATE
- VIII. CORPORATE ACTION
 - A. Approval of Budget for Fiscal Year Ending October 31, 2021.
 - B. Authorization to Amend the Agreement with Sher Tremonte LLP (Litigation Services).
 - C. Authorization to Amend Ground Lease of Site 14B.
- IX. FOR INFORMATION ONLY
 - A. Recent and Upcoming Procurement Activity
 - B. Selected Press Clippings
 - C. Condo Coalition Update
- X. MOTION TO ADJOURN

APPROVAL OF AUTHORITY BUDGETS FOR FISCAL YEAR ENDING OCTOBER 31, 2021 AND AMENDMENT OF FISCAL YEAR 2020 BUDGET

BE IT RESOLVED, that each of the capital and operating budgets of the Authority for the fiscal year ending October 31, 2021, substantially in the form presented to this meeting be, and hereby is, approved and ordered filed with the records of the Authority; and be it further

RESOLVED, that the budget of the Authority for the fiscal year ending October 31, 2020, approved at the October 29, 2019 meeting, as amended, be, and hereby is, approved to be amended by an increase not to exceed of \$10,000,000 to allow the funding of the Operating Reserve; and be it further

RESOLVED, that the President and Chief Executive Officer of the Authority or his designee(s) be, and each of them hereby is, directed to file said budget and related information with all parties as required pursuant to all outstanding bond resolutions, agreements and requirements of law.

AUTHORIZATION TO AMEND THE RETAINER AGREEMENT WITH SHER TREMONTE, LLP FOR LITIGATION SERVICES.

BE IT RESOLVED, that in accordance with the materials submitted at this meeting, the President and Chief Operating Officer (the "President") of the Battery Park City Authority or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute an amendment (the "Amendment") to the retainer agreement with Sher Tremonte, LLP for litigation services, extending the termination date to November 20, 2020, retroactively effective as of December 20, 2019; and be it further

RESOLVED, that the President of the Authority or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the Amendment on behalf of the Authority, subject to such changes as the officer or officers executing the Amendment shall, with the advice of counsel, approve as necessary and appropriate in the best interest of the Authority, such approval to be conclusively evidenced by the execution and delivery of the Amendment; and be it further

RESOLVED, that the President of the Authority or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents, and to take all such other and further actions as may be necessary, desirable or appropriate, in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

AUTHORIZATION TO AMEND THE GROUND LEASE OF SITE 14B

BE IT RESOLVED, that in accordance with the materials presented to this meeting, the President & Chief Executive Officer of the Hugh L. Carey Battery Park City Authority (the "President"), or her/his designees be, and each of them hereby is, authorized and empowered to execute an amendment to the ground lease for Site 14B for an amount payable to the Museum of Jewish Heritage of \$2,900,000; and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the amendment on behalf of the Hugh L. Carey Battery Park City Authority, subject to such changes as the officer or officers shall, with the advice of counsel, approve as necessary and appropriate and in the best interests of the Authority, such approval to be conclusively evidenced by the execution and delivery of the amendment; and be it further

RESOLVED, that the President or her/his designees be, and each of them hereby is, authorized and empowered to execute all such other and further documents, and take all such other and further actions as may be necessary, desirable or appropriate in connection with the transactions contemplated in the foregoing resolution, and any such execution of documents and any other and further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.