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**MINUTES**  
**ITHACA URBAN RENEWAL AGENCY**  
**Common Council Chambers, City Hall**  
**8:30 A.M., Friday, February 27, 2015**

Members: Eric Rosario, Tracy Farrell, Karl Graham, Ellen McCollister (Common Council Liaison)  
Excused: Svante Myrick, Chris Proulx  
Staff: Nels Bohn, JoAnn Cornish, Lynn Truame, Charles Pyott  
Public: None  
Guests: Joseph Bowes, Ithaca Neighborhood Housing Services (INHS)  
Susan Cummings, IURA Governance Committee

**I. Call to Order**

Vice Chair Farrell called the meeting to order at 8:38 A.M.

**II. Agenda Additions/Deletions**

None.

**III. Public comment (3-minute maximum per person)**

None.

**IV. Review of Draft Meeting Minutes: January 22, 2014**

**Graham moved, seconded by Rosario, to approve the January 22, 2015 meeting minutes, with no modifications.**

**Carried Unanimously 3-0**

**V. INHS Report on Community Engagement Process for 210 Hancock St. Project & Preferred Schematic Plan — J. Bowes**

Bowes briefly described the process that led to the selection of the preferred schematic plan being presented today. INHS hosted four community open house meetings, attracting a total of 250 attendees (approx. 30% from Northside and 48% from Fall Creek). Of the two design options, about 70% of attendees preferred the "Street Scheme."

Bowes walked through some brief highlights of the proposed design:

- driveway would feel like a city street with landscaping and a sidewalk
- 12 for-sale townhomes (2-3 BR) and a large multi-family building with 53 apartments (with 3 common spaces and parking on the first floor)
- One community space would house an Early Head Start program, operated by Tompkins Community Action (allowing some of the project to be financed through low-income tax credits)
- Since the last time the IURA reviewed the project:
  - the multi-family building was broken up to appear as multiple buildings, with connections through upper-level bridges
  - a greenspace (park) was added to the main entryway into the large building
  - people can walk under the large building all way to Lake Avenue
  - Board of Public Works (BPW) expressed a willingness to agree to an easement, thereby allowing Lake Avenue to be redeveloped as a liveable, pedestrian/bike-oriented street, with a few parallel parking spaces and a playground north of walkway



Farrell asked where people would enter the main building. Bowes replied there is one entrance in the center of the building, with another entrance on a plinth/raised patio space on the south. He added there would be one elevator for the four 'buildings,' and a couple of loading spaces (possibly three).

Graham asked why no 3-bedroom units are planned for the large building. Bowes replied partly because it works better in terms of the overall design, but also in response to the large waiting list for 1- and 2-BR units at the Breckenridge Apartments project (many of whom are seniors).

Cummings asked if the building could be designed flexibly enough to permit 3-BR units, at some point in the future. Bowes replied, probably not, especially given the restrictions associated with the anticipated low-income tax credits.

Cornish observed that the liveable street portion of Lake Avenue does not seem to have a very strong connection to the pathway that runs to Conley Park. She asked if there could be a stronger connection there. Bowes replied, possibly. Cornish suggested it would make more sense to situate the northwest leg of Lake Avenue on the other side of the playground, to unencumber it from the play area. Bowes replied he actually already asked the design team to explore that. It makes a lot of sense.

Bowes went on to note the architecture of the project takes its cues from surrounding buildings, with something similar to a warehouse aesthetic for the large building. He added that because of the floodplain, all the buildings will be raised an additional five feet.

Cummings suggested it would be helpful if someone could see in and out of the first-floor parking area, to make it more open and secure — visually separated, but relatively open.

Graham asked how many parking spaces there would be, per resident. Bowes replied there would be a total of 70 parking spaces, approximately one third of which would be concealed below the multi-use building, with the remainder organized around the central street. Each townhouse would have one parking space. He noted the multi-family building requires a Zoning Variance for the on-site parking deficiency. There would also be an adjacent bus stop (covered/sheltered), as well as some on-street parking spaces on Hancock Street and First Street. Given the variety of options, he believes parking availability should be sufficient.

Cummings asked what the numeric parking space deficiency is. Bowes replied approximately 20% (or about 30 spaces) short of what the Zoning Code requires. The applicant considered some angled parking spaces, but those would actually have caused the project to lose parking spaces. The applicant is also discussing locating a designated Ithaca CarShare space nearby. Rosario strongly urged Bowes to pursue the Ithaca Carshare space to help alleviate some of the parking demand (two spaces would be even better).

Cummings urged the applicant to ensure the project does not appear as a solid 'wall' of development (like some other developments in the city) from the neighbors' perspective. The negative impacts from the service alley (e.g., venting, noise) should also be minimized. Cummings expressed particular concern with the potential negative impacts along First Street (e.g., the large multi-family building will be taller than any other nearby buildings). She suggested the applicant explore different building configurations (e.g., one taller building, with other lower buildings) and she urged the applicant to make the building design/detailing as high-quality and interesting as possible (e.g., adding detailing around roof edges). Cummings also questioned if a single elevator would be sufficient.

McCollister remarked that while height is certainly a factor to consider, it is completely secondary in importance to the overall architectural design (e.g., articulation, materials, contextuality). She is not sure having a taller building, with shorter buildings, would necessarily be the ideal solution.

Farrell indicated it sounds like there is consensus that the project should have a well-articulated, beautiful design, with sensitivity to its massing, along with minimal visual and noise impacts.

Cummings added that the rooftop mechanicals on the large building should have not fans. Bowes replied that each living unit would have a furnace and central air-conditioning, which would be located on the roof. The applicant is exploring ways of covering the roof with solar panels and air-conditioning units, but a parapet wall would conceal them from the street.

Cummings asked if any thought had been given to a roof garden. Bowes replied, no.

Farrell suggested making the interior spaces in the large building as cross-functional and interconnected as possible.

## **VI. Neighborhood Investment Committee (NIC)**

### **A. HOME Policies**

#### **1. HOME Definition of Income Policy**

**Farrell moved, seconded by Rosario:**

#### **HUD Entitlement Program — HOME Definition of Income Policy**

WHEREAS, §92.203(c) of the 2013 HOME final rule requires participating jurisdictions (PJ) to select only one definition of income for each HOME-assisted program or rental project, and

WHEREAS, pursuant to an executed agreement dated 2/14/13, the City of Ithaca authorized the IURA to act as lead agency to plan, administer, implement and monitor HUD Entitlement grant funds awarded to the City of Ithaca, and

WHEREAS, IURA staff have prepared a Definition of Income Policy based upon standards and practices established by HUD, and

WHEREAS, the IURA Neighborhood Investment Committee reviewed and discussed this draft policy at its February 13, 2015, meeting, and recommend the following; now, therefore be it

**RESOLVED**, that the IURA, acting in its capacity of lead agency on behalf of the City of Ithaca hereby adopts the HOME Definition of Income Policy, dated February 13, 2015.

**Carried Unanimously 3-0**

## **2. HOME Minority & Women-Owned Business Enterprises (MWBE) and Section 3 Policy**

**Farrell moved, seconded by Graham:**

### **HUD Entitlement Program — HOME MWBE & Section 3 Policy**

WHEREAS, §92.351 of the 2013 HOME final rule requires participating jurisdictions (PJ) to adopt policies regarding outreach to minorities and women and entities owned by minorities and women, and

WHEREAS, pursuant to an executed agreement dated 2/14/13, the City of Ithaca authorized the IURA to act as lead agency to plan, administer, implement and monitor HUD Entitlement grant funds awarded to the City of Ithaca, and

WHEREAS, IURA staff have developed a draft MWBE and Section 3 Policy based upon standards and practices established by HUD, and

WHEREAS, the IURA Neighborhood Investment Committee reviewed and discussed this draft policy at its February 13, 2015, meeting, and recommend the following; now, therefore be it

**RESOLVED**, that the IURA, acting in its capacity of lead agency on behalf of the City of Ithaca hereby adopts the HOME MWBE and Section 3 Policy, dated February 13, 2015.

**Carried Unanimously 3-0**

## **B. CHDO & CBDO Certifications**

### **1. 2015 Designation of INHS as CHDO**

**Farrell moved, seconded by Graham:**

**HUD Entitlement Grant Program — 2015 Designation of INHS as CHDO**

WHEREAS, the Ithaca Urban Renewal Agency (IURA) has been designated by the City of Ithaca as the Lead Agency to develop, administer and implement the HUD Entitlement grant program, including funds received through the Home Investment Partnerships (HOME) program, and

WHEREAS, grant recipients under the HOME program are termed Participating Jurisdictions (PJs), and

WHEREAS, PJs must reserve not less than 15% of their HOME allocation for investment in housing to be developed, sponsored, or owned by Community Housing Development Organizations (CHDOs), and

WHEREAS, each PJ must identify annually CHDOs that are capable of carrying out projects to address priority housing needs identified in the Consolidated Plan, and

WHEREAS, a CHDO is a specific type of community-based nonprofit organization as defined in 24 CFR §92.2, and

WHEREAS, a PJ may use HOME funds to provide special assistance to CHDOs, including:

- Project pre-development loans;
- Operating assistance;
- Use of HOME project proceeds;
- Capacity-building assistance; and

WHEREAS, on January 31, 2015, Ithaca Neighborhood Housing Services, Inc. (INHS) submitted materials documenting their qualification and requested renewal of their designation as a CHDO and CBDO by the IURA, and

WHEREAS, at their February 13, 2015 meeting, the Neighborhood Investment Committee of the Ithaca Urban Renewal Agency compared submitted materials against CHDO criteria and recommends the following; now, therefore be it

**RESOLVED**, that the IURA, acting in its capacity as the Lead Agency for the Participating Jurisdiction of the City of Ithaca, hereby renews its designation of Ithaca Neighborhood Housing Services, Inc. as a CHDO for the 2015 Action Plan.

**Carried Unanimously 3-0**

## 2. 2015 Designation of Historic Ithaca as CBDO

Farrell moved, seconded by Graham:

### 2015 IURA Designation of Historic Ithaca, Inc. as Community-Based Development Organization (CBDO)

WHEREAS, the Board of Historic Ithaca Inc., (Historic Ithaca) seeks designation by the Ithaca Urban Renewal Agency (IURA) as a Community-Based Development Organization (CBDO), and

WHEREAS, the City of Ithaca has designated the IURA to administer the City's HUD Entitlement Program that oversees Community Development Block Grant funds awarded to the City, and

WHEREAS, an eligible category of CDBG activities is a "Special Activity by CBDO", that offers certain advantages, such as exemption from the 15% expenditure cap otherwise applicable to public service activities, authorization to carry out new housing construction (normally prohibited with CDBG funds), and discretion to allow income generated by a CDBG-funded activity to not be considered CDBG program income, and

WHEREAS, the following four tests established at CFR Title 24 §570.204 must be met to qualify under a category of "Special Activity by CBDOs:"

1. The entity qualifies as a CBDO, including the 51% board membership test;
2. The CBDO will undertake an eligible project;
3. That the CBDO will carry out the funded activity directly or with an entity other than the grantee;
4. That the CBDO will not carry out a prohibited activity, and

WHEREAS, a CBDO must maintain at least 51% of its governing body's membership to be made up of any combination of the following:

- Low- and moderate income residents of its area of operation
- Owners or senior officers of private establishments and other institutions located in its area of operation
- Representatives of low- and moderate-income neighborhood organizations located in its area of operation, and

WHEREAS, a CBDO must have as its primary purpose the improvement of the physical, economic, or social environment of its geographic area of operation, with a particular emphasis on the needs of low- and moderate-income persons, and

WHEREAS, the project undertaken by the CBDO must qualify as one or more of the following project types:

- neighborhood revitalization;
- community economic development;
- energy conservation project; and

WHEREAS, at their February 13, 2015, meeting, the Neighborhood Investment Committee compared Historic Ithaca, Inc. with CBDO eligibility requirements as documented in the attached materials and staff review of bylaws and organizational documents and recommended the following; now, therefore, be it

**RESOLVED**, that the IURA determines that Historic Ithaca, Inc. meets the requirements for eligibility as a CBDO, and be it further

**RESOLVED**, that the IURA hereby designates Historic Ithaca, Inc. as a Community-Based Development Organization (CBDO).

**Carried Unanimously 3-0**

### **3. 2015 Designation of Greater Ithaca Activities Center (GIAC) as CBDO**

Farrell noted the Committee discussed GIAC's board composition, since there were some questions about which categories some board members fell into; however, the Committee eventually concluded that the board members did fall into the appropriate categories (and there was even some thought that some board members may fall into more than one category). It was suggested that the IURA should raise the subject with GIAC and recommend adding new board members who fall into CBDO categories.

**Farrell moved, seconded by Rosario:**

#### **2015 IURA Designation of GIAC, Inc. as Community-Based Development Organization (CBDO)**

WHEREAS, the Board of Greater Ithaca Activities Center (GIAC), Inc., seeks designation by the Ithaca Urban Renewal Agency (IURA) as a Community-Based Development Organization (CBDO), and

WHEREAS, the City of Ithaca has designated the IURA to administer the City's HUD Entitlement Program that oversees Community Development Block Grant funds awarded to the City, and

WHEREAS, an eligible category of CDBG activities is a "Special Activity by CBDO", that offers certain advantages, such as exemption from the 15% expenditure cap otherwise applicable to public service activities, authorization to carry out new housing construction (normally prohibited with CDBG funds), and discretion to allow income generated by a CDBG-funded activity to not be considered CDBG program income, and

WHEREAS, the following four tests established at CFR Title 24 §570.204 must be met to qualify under a category of "Special Activity by CBDOs:"

1. The entity qualifies as a CBDO, including the 51% board membership test;
2. The CBDO will undertake an eligible project;
3. That the CBDO will carry out the funded activity directly or with an entity other than the grantee;

4. That the CBDO will not carry out a prohibited activity, and

WHEREAS, a CBDO must maintain at least 51% of its governing body's membership to be made up of any combination of the following:

- Low- and moderate-income residents of its area of operation
- Owners or senior officers of private establishments and other institutions located in its area of operation
- Representatives of low- and moderate-income neighborhood organizations located in its area of operation, and

WHEREAS, a CBDO must have as its primary purpose the improvement of the physical, economic, or social environment of its geographic area of operation, with a particular emphasis on the needs of low- and moderate-income persons, and

WHEREAS, the project undertaken by the CBDO must qualify as one or more of the following project types:

- neighborhood revitalization;
- community economic development;
- energy conservation project; and

WHEREAS, at their February 13, 2015, meeting, the Neighborhood Investment Committee compared GIAC, Inc. with CBDO eligibility requirements as documented in the attached materials and staff review of bylaws and organizational documents and recommended the following; now, therefore, be it

**RESOLVED**, that the IURA determines that GIAC, Inc. meets the requirements for eligibility as a CBDO, and be it further

**RESOLVED**, that the IURA hereby designates GIAC, Inc. as a Community-Based Development Organization (CBDO).

**Carried Unanimously 3-0**

### **C. Committee Chairperson Report**

Farrell remarked that the IURA has been funding its Hospitality Employment Training and Work Preserve Job Training programs by virtue of their CBDO status. IURA Community Development Planner Lynn Truame recently found evidence that HUD requires these kinds of job training programs to demonstrate they have an actual job placement for program participants. The IURA will therefore need to make sure it examines this issue closely in the future and determine how its job training programs are fulfilling this HUD requirement.

## VII. Governance Committee (GC)

### A. Procurement of Independent Contractors

#### 1. Legal Services

Rosario moved, seconded by Farrell:

#### **2015 Procurement of Independent Legal Services: Geldenhuys**

WHEREAS, in accordance with IURA procurement policy and regulations contained in 24 CFR §85.36, the IURA issued a Request for Proposals (RFP) for legal services on January 7, 2015, and

WHEREAS, the following four proposals were received:

- Mariette Geldenhuys;
- Richard Ruwsick;
- Sharon Sulimowicz;
- Pannone, Lopes, Devereau & West, LLC, and

WHEREAS, the IURA currently contracts with Mariette Geldenhuys and Richard Ruswick for legal services, and

WHEREAS, Mariette Geldenhuys submitted a proposal to continue providing legal services to the IURA at a maximum billing rate of \$200 per hour, and

WHEREAS, the IURA staff is highly satisfied with the quality of legal services provided by Geldenhuys, and

WHEREAS, IURA staff reviewed the proposals against the RFP criteria and recommends selection of Mariette Geldenhuys, and

WHEREAS, the 2015 IURA budget recommended a total authorized contract amount of \$23,000 for general legal services, and

WHEREAS, the IURA Governance Committee reviewed this matter at its February 20, 2015 meeting and recommended the following; now, therefore, be it

**RESOLVED**, that IURA Chair is hereby authorized, upon review of IURA legal counsel, to execute a contract extension for independent contractor legal services with Mariette Geldenhuys, Attorney and Mediator, at a maximum hourly rate of \$200 per hour with the total amount not to exceed \$18,000, and be it further

**RESOLVED**, that the source of such funds for legal services shall be derived from a variety of funding sources, including, but not limited to, CDBG and HOME funds, and expenses shall be billed to the appropriate source of funds for which the services were performed.

### **2015 Procurement of Independent Legal Services: Ruswick**

WHEREAS, in accordance with IURA procurement policy and regulations contained in 24 CFR §85.36, the IURA issued a Request for Proposals (RFP) for legal services on January 7, 2015, and

WHEREAS, the following four proposals were received:

- Mariette Geldenhuys;
- Richard Ruswick;
- Sharon Sulimowicz;
- Pannone, Lopes, Devereau & West, LLC, and

WHEREAS, the IURA currently contracts with Mariette Geldenhuys and Richard Ruswick for legal services, and

WHEREAS, Richard Ruswick submitted a proposal to continue providing legal services to the IURA at a maximum billing rate of \$185 per hour, and

WHEREAS, the IURA staff is satisfied with the quality of legal services provided by Geldenhuys, and

WHEREAS, IURA staff reviewed the proposals against the RFP criteria and recommends selection of Richard Ruswick, and

WHEREAS, the 2015 IURA budget recommended a total authorized contract amount of \$23,000 for general legal services, and

WHEREAS, the IURA Governance Committee reviewed this matter at its February 20, 2015 meeting and recommended the following; now, therefore, be it

**RESOLVED**, that IURA Chair is hereby authorized, upon review of IURA legal counsel, to execute a contract extension for independent contractor legal services with Richard Ruswick, Attorney at Law, at a maximum hourly rate of \$185 per hour with the total amount not to exceed \$2,000, subject to an exclusion on the cap for legal services on any low-income housing tax credit project where the borrower agrees to pay the IURA's legal costs, and be it further

**RESOLVED**, that the source of such funds for legal services shall be derived from a variety of funding sources, including, but not limited to, CDBG and HOME funds, and expenses shall be billed to the appropriate source of funds for which the services were performed.

### 2015 Procurement of Independent Legal Services: Sulimowicz

WHEREAS, in accordance with IURA procurement policy and regulations contained in 24 CFR §85.36, the IURA issued a Request for Proposals (RFP) for legal services on January 7, 2015, and

WHEREAS, the following four proposals were received:

- Mariette Geldenhuys;
- Richard Ruswsick;
- Sharon Sulimowicz;
- Pannone, Lopes, Devereau & West, LLC, and

WHEREAS, the IURA currently contracts with Mariette Geldenhuys and Richard Ruswick for legal services, and

WHEREAS, Sharon Sulimowicz submitted a proposal to continue providing legal services to the IURA at a maximum billing rate of \$140 per hour, and

WHEREAS, the IURA staff is interested to diversify contracted legal services, and

WHEREAS, IURA staff reviewed the proposals against the RFP criteria and recommends selection of Sharon Sulimowicz, and

WHEREAS, the 2015 IURA budget recommended a total authorized contract amount of \$23,000 for general legal services, and

WHEREAS, the IURA Governance Committee reviewed this matter at its February 20, 2015 meeting and recommended the following; now, therefore, be it

**RESOLVED**, that IURA Chair is hereby authorized, upon review of IURA legal counsel, to execute a contract for independent contractor legal services with the Law Office of Sharon M. Sulimowicz, at a maximum hourly rate of \$140 per hour with the total amount not to exceed \$3,000, subject to an exclusion from the cap for legal services on a low-income housing tax credit syndicated project when the borrower agrees to pay the IURA's legal costs, and be it further

**RESOLVED**, that the source of such funds for legal services shall be derived from a variety of funding sources, including, but not limited to, CDBG and HOME funds, and expenses shall be billed to the appropriate source of funds for which the services were performed.

**Carried Unanimously 3-0**

Rosario noted that the IURA has typically only worked with two attorneys; however, IURA staff believes it would make sense to have a third attorney available, to benefit from a more diverse base of legal consulting expertise and ensure enough redundancy to avoid any potential delays.

Cornish added having three attorneys would also help avoid encountering any conflicts of interest.

Graham disclosed that his employer, Alternatives Federal Credit Union (AFCU), has a business relationship with the Law Office of Sharon M. Sulimowicz; however, he himself has no relationship with the company.

## **2. Community Development Consulting Services**

**Rosario moved, seconded by Graham:**

### **2015 Procurement of Independent Consultant Services: H. Sicherman & Co., Inc.**

WHEREAS, in accordance with IURA procurement policy and regulations contained at 24 CFR §85.36 the IURA issued a Request for Proposals (RFP) for community development consulting services, including loan underwriting services, on January 9, 2015, and

WHEREAS, the RFP resulted in receipt of one proposal from H. Sicherman & Co., Inc., and

WHEREAS, the IURA currently contracts with H. Sicherman & Co., Inc. for community development consulting services, and

WHEREAS, H. Sicherman & Co., Inc. submitted a proposal to continue providing community development consulting services at a maximum hourly rate of \$164/hour, with loan underwriting services provided at \$135/hour, and

WHEREAS, the IURA staff is highly satisfied with the quality of services provided by H. Sicherman & Co., Inc., and

WHEREAS, the 2014 IURA budget recommended a total authorized contract amount of \$12,000 for community development consulting services; now, therefore, be it

**RESOLVED**, that IURA Chair is hereby authorized, upon review of IURA legal counsel, to execute a contract extension for independent contractor community development services with H. Sicherman & Co., Inc. at a maximum hourly rate of \$164 per hour with the total amount not to exceed \$12,000, and be it further

**RESOLVED**, that the source of such funds for legal services shall be derived from a variety of funding sources, including, but not limited to, CDBG and HOME funds, and expenses shall be billed to the appropriate source of funds for which the services were performed.

**Carried Unanimously 3-0**

### 3. Minute-Taking Services

Rosario moved, seconded by Graham:

#### 2015 Procurement of Independent Minute-Taking Services: Charles Pyott

WHEREAS, Mr. Charles Pyott has been providing the IURA with minute taking services to the IURA as an independent contractor since July 8, 2011, and

WHEREAS, the annual contract for his services expires on February 28, 2015, and

WHEREAS, Pyott has submitted a proposal to continue to provide minute-taking services at a rate of \$18.35 per hour, a 1.9% increase from 2014 rates, and

WHEREAS, the IURA staff is highly satisfied with Pyott's performance, and

WHEREAS, the 2014 IURA budget recommends an authorized amount of \$5,000 for minute taking services; now, therefore be it, and

WHEREAS, at their February 20, 2015 meeting the Governance Committee considered this matter and recommended the following; now, therefore, be it

**RESOLVED**, that the IURA Chairperson is hereby authorized, upon review of IURA legal counsel, to execute a one-year contract extension for independent contractor minute-taking services with Charles Pyott at a rate of \$18.35 per hour with the total amount not to exceed \$5,000, and be it further

**RESOLVED**, that the source of such funds shall be derived from non-CDBG funds.

**Carried Unanimously 3-0**

### B. HUD Entitlement Program

#### 1. Natural Leaders Initiative's Job Readiness Internship Program (#16, 2013) — Request for Schedule Extension

Rosario explained that some extenuating personal circumstances prevented the program from expending its funding in the originally allotted timeframe.

**Rosario moved, seconded by Graham:**

**Amend Funding Contract for Cornell Cooperative Extension's  
Natural Leaders Initiative Program (2013 Project #16)**

WHEREAS, Cornell Cooperative Extension received funding as part of the 2013 Action Plan for an employment readiness program, and

WHEREAS, the Program, as originally designed, was intended to use CDBG funds to provide training, support, and mentorship for four Natural Leaders Initiative (NLI) graduates to serve as Program Assistants and develop job readiness skills, and

WHEREAS, four NLI graduates have successfully completed the Program and received the planned services, and

WHEREAS, due to personal circumstances, three of the original participants completed fewer Program hours than originally anticipated, leaving a surplus of unexpended funds in the amount of \$2,928.14 as of December 31, 2014, the expiration of the contract period, and

WHEREAS, the staff of NLI have requested an extension to the contract to allow the spend down of these remaining funds, which will be utilized to provide services to a fifth Program participant, and

WHEREAS, this request was not received in time to be formally voted on at the February 13, 2015, Neighborhood Investment Committee meeting, but was discussed by that committee and recommended for approval, and

WHEREAS, the Governance Committee has reviewed the request and the NIC recommendation at their February 20, 2015 meeting and recommended the following, now, therefore be it

**RESOLVED**, that the IURA hereby approves the request to extend the end date of the contract to August 31, 2015 with Cornell Cooperative Extension for the Natural Leaders Initiative Program (2013 project #16), and be it further

**RESOLVED**, that the IURA has determined that this action does not constitute a Substantial Program Amendment under the Citizen Participation Plan of the City of Ithaca, and as such does not require a public hearing or approval of Common Council, and be it further

**RESOLVED**, that the IURA Chairperson, upon advice of the IURA Attorney, is hereby authorized to execute all necessary and appropriate documents to implement this resolution.

**Carried Unanimously 3-0**

## 2. Southside Community Center Gym Acoustics — Award of Construction Contract (#4, 2013)

Rosario explained that no resolution was generated for this agenda item, since IURA staff is now recommending the action be deferred. He noted the IURA sought three responses to its RFP, with a budget of \$17,000; however, only one price quote of \$43,000 was received. The IURA now needs to re-bid the project to comply with procurement requirements. Rosario added that any amount over \$25,000 for the project cost would trigger a program amendment and require a Public Hearing, so staff is recommending simply rolling the project into the 2015 Action Plan for consideration to fund at a higher amount.

Truame noted that the Southside Community Center will need to determine if the project is still something worth pursuing, balancing it against the Center's other needs.

Farrell recalled a discussion, some time ago, of a study to identify Southside Community Center's infrastructure needs. Bohn replied he believes the Triad Foundation was going to fund a feasibility analysis, but it was not ultimately completed.

## 3. 2015 Funding Allocation Levels for CDBG & HOME Programs

NY-FY15 Allocations							
KEY	CNSRTKEY	NAME	STA	CDBG15	HOME15	ESG15	HOPWA15
360040		Albany	NY	\$3,074,971	\$612,730	\$280,962	\$489,586
360152	36C103	Amherst Town	NY	\$472,599	\$606,061	\$0	\$0
360300		Auburn	NY	\$828,921	\$0	\$0	\$0
360556		Binghamton	NY	\$1,743,852	\$352,053	\$158,352	\$0
360784		Buffalo	NY	\$12,635,721	\$2,398,152	\$1,159,066	\$546,763
361152		Cheektowaga Town	NY	\$916,326	\$0	\$0	\$0
361380		Colonie Town	NY	\$326,087	\$0	\$0	\$0
361756		Dunkirk	NY	\$388,047	\$0	\$0	\$0
362000		Elmira	NY	\$1,067,918	\$222,636	\$0	\$0
362480		Glen Falls	NY	\$453,012	\$0	\$0	\$0
362572		Greece	NY	\$402,884	\$0	\$0	\$0
362688		Hamburg Town	NY	\$376,566	\$0	\$0	\$0
363140		Irondequoit	NY	\$819,052	\$0	\$0	\$0
363168		Ithaca	NY	\$671,646	\$368,661	\$0	\$0
363180		Jamestown	NY	\$1,052,851	\$246,960	\$0	\$0
364448		Niagara Falls	NY	\$2,241,544	\$317,911	\$199,375	\$0
365544		Rochester	NY	\$7,791,818	\$1,758,789	\$709,872	\$680,604
365572		Rome	NY	\$906,502	\$0	\$0	\$0
365800		Saratoga Springs	NY	\$342,430	\$0	\$0	\$0
365848	36C009	Schenectady	NY	\$2,064,964	\$831,448	\$186,609	\$0
366376		Syracuse	NY	\$4,603,746	\$1,051,124	\$425,827	\$287,354
366468		Tonawanda Town	NY	\$1,511,168	\$0	\$135,310	\$0
366500		Troy	NY	\$1,651,237	\$0	\$149,160	\$0
366588		Union Town	NY	\$1,091,175	\$0	\$0	\$0
366612		Utica	NY	\$2,171,458	\$479,648	\$197,507	\$0
366848		Watertown city	NY	\$784,662	\$0	\$0	\$0
369029	36C006	Erie County	NY	\$2,417,793	\$591,737	\$215,143	\$0
367024		West Seneca	NY	\$267,504	\$0	\$0	\$0
				\$2,685,297	\$591,737	\$215,143	\$0
369055	36C007	Monroe County	NY	\$1,663,302	\$811,754	\$147,425	\$0
369067	36C008	Onondaga County	NY	\$1,730,361	\$447,678	\$153,491	\$0
361256		Clay Town	NY	\$187,894	\$0	\$0	\$0
				\$1,918,255	\$447,678	\$153,491	\$0
36C202	36C202	CNSRT-Jefferson County	NY	\$0	\$706,084	\$0	\$0

**C. Consent to Designation of Planning & Development Board (“Planning Board”) as Lead Agency for Environmental Review of Proposed 210 Hancock Street Project**

Rosario explained that the Committee discussed this subject at length — while it recognizes the Planning Board is best-qualified to perform the environmental review, the Committee was concerned the IURA would not have enough input into the process. City of Ithaca Senior Planner Lisa Nicholas assured the Committee that the IURA would remain an involved agency, and would be able to review all the project materials and communicate any concerns to the Planning Board.

**Rosario moved, seconded by Graham:**

**Consent to Lead Agency Designation for 210 Hancock Street Project**

WHEREAS, 6 NYCRR Part 617 of the State Environmental Quality Review Law and Chapter 176.6 of the City Code, Environmental Quality Review, require that a lead agency be established for conducting environmental review of projects in accordance with local and state environmental law, and

WHEREAS, State Law specifies that for actions governed by local environmental review, the lead agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action, and

WHEREAS, the City of Ithaca Planning and Development Board has one pending application for site plan approval for redevelopment of 210 Hancock Street from Ithaca Neighborhood Housing Services, Inc., and

WHEREAS, the Planning Board is anticipated to seek to act as lead agency for the environmental review of a proposed site plan for the 210 Hancock St. project, and

WHEREAS, the applicant is proposing to construct a mix of approximately 50 apartments, 12 for-sale townhouses and 8,500 square feet of commercial lease space on a 2-acre parcel located in the B-2a zoning district, and

WHEREAS, the project is a Type I Action §176-4(h)[2], (k), and (n) under the City of Ithaca Environmental Quality Review Ordinance and the State Environmental Quality Review Act and is subject to environmental review and a variances for height and parking, and

WHEREAS, if the IURA consents to lead agency designation of the Planning Board the IURA will maintain the status of an Involved Agency for the environmental review of this action, and

WHEREAS, it is appropriate for an Involved Agency to provide the Lead Agency with observations and concerns about the potential environmental impact of the proposed action, especially comments relating to the IURA’s area of expertise, and

WHEREAS, at their February 20, 2015 meeting, the IURA Governance Committee commented on the extensive and well-designed INHS community engagement process for this project and briefly discussed the resulting preferred schematic design, and

WHEREAS, the IURA Governance Committee supports further refinement of the schematic plan to enhance integration of the proposed project into its surrounding neighborhood, especially regarding the 4-story buildings along First Street; now, therefore, be it

**RESOLVED**, that the IURA hereby consents to the designation of the City of Ithaca Planning & Development Board as lead agency for the environmental review of the proposed redevelopment of 210 Hancock Street, and be it further

**RESOLVED**, that the IURA Neighborhood Investment Committee is hereby requested to review the Full Environmental Assessment Form (FEAF) for this project and develop draft comments, if appropriate, to mitigate any potential negative environmental impacts of the proposed project for possible communication to the Lead Agency.

**Carried Unanimously 3-0**

**D. Request from Rochester's Cornerstone Group for Funding Support for Potential Downtown Affordable Housing Project (on the former Tompkins County Public Library site)**

**Rosario moved, seconded by Graham (SUBSEQUENTLY WITHDRAWN):**

**Funding Interest — Downtown Affordable Housing Project at 310-314 N. Cayuga Street**

WHEREAS, Rochester's Cornerstone Group, Ltd. (Cornerstone) is one of four developers invited by Tompkins County to submit a proposal to acquire and redevelop the former Tompkins County Public Library property located at 310-314 N. Cayuga Street, and

WHEREAS, the proposal including a financing plan is due by March 20, 2015, and

WHEREAS, Cornerstone proposes to construct an approximately 70-unit affordable senior rental housing project that will possibly incorporate Lifelong into the project, and

WHEREAS, Cornerstone is working in conjunction with the Cayuga Housing Development Corporation, (CHDC) who will manage the project, and

WHEREAS, CHDC is an affiliate organization of the Ithaca Housing Authority, and

WHEREAS, there is a severe shortage of affordable rental housing in the City of Ithaca, and

WHEREAS, Cornerstone plans to submit an application in December 2015 to secure 4% by-right tax credits and tax-exempt bonds to finance the project, and

WHEREAS, the applicant currently lacks site control, so a 2015 HOME application to the IURA would raise significant project feasibility concerns, and

WHEREAS, 2016 HOME funds cannot be committed to a project until environmental review has been completed and a release of funds is issued by HUD, approximately September 2016, and

WHEREAS, proceeds from the Housing Development Action Grant (HODAG) managed by the IURA are considered miscellaneous income and do not require HUD approval, and

WHEREAS, construction and management of affordable rental housing is an eligible use for HODAG proceeds, and

WHEREAS, the IURA Government Committee considered this matter at their February 20, 2015 meeting and recommended the following; now, therefore, be it

**RESOLVED**, that the IURA Director of Community Development is hereby authorized to submit a non-binding letter of interest for possible loan funding support of up to \$200,000 for an approximately 70-unit affordable senior housing project located at the site of the former Tompkins County public library.

Rosario explained that Cornerstone is proposing 70 units of senior housing and has asked if the IURA would be interested in supporting the project. Cornerstone indicated that without some kind of City/IURA funding for the project, it would be very unlikely to obtain the tax credits it seeks. The Committee agreed the project would be a significant opportunity for adding low- to moderate-income housing in Ithaca.

Bohn noted that Cornerstone is applying for 4% "by-right" low-income tax credits matched with tax-exempt bond funding to finance the project; but if there is no documented local support for the project, the financing for the project would be in serious jeopardy. Bohn explained that Cornerstone is only asking for a 'soft' letter of interest at this point, and not a binding commitment.

Graham remarked that as a member of the community group that supports *re-using* the existing building, he has serious reservations about expressing support for it.

Farrell noted that even a non-binding letter of support would necessarily place the IURA on the record as having given its support to the project, which she would prefer not to do.

Rosario agreed that a letter of support would essentially constitute an IURA decision on the project.

Graham announced he would abstain from consideration of the project.

Farrell indicated she would not feel comfortable expressing support for the project until she has at least had the opportunity to review a fully-developed proposal.

Bohn suggested one alternative approach could simply be to state in writing that if the project is selected by Tompkins County, the IURA would be interested in having it apply for funding.

Farrell agreed that is a better approach. Bohn noted that IURA staff would generate a letter to that effect.

**Rosario moved to withdraw the resolution, seconded by Graham.**

**Carried Unanimously 3-0**

#### **E. Review of IURA Financials: January 2015**

Rosario remarked that all the grant programs are moving forward, except the Southside Community Center.

Truame added that the Emergency Domestic Violence Shelter Rehab program may be delayed. New York's State Historic Preservation Office (SHPO) indicated it would not approve one element of the project; however, the contractor already performed the work. If the work is irreversible, the project sponsor will need to repay the money to the state.

Rosario noted that the IURA project spend-down ratio is good. The lease payments are also in good shape.

#### **F. Committee Chairperson Report**

None.

### **VII. Economic Development Committee (EDC)**

#### **A. HUD Entitlement Program: Funding Request by Downtown Ithaca Alliance (DIA) for Downtown Business Boost Program — Program Amendment to 2014 Action Plan**

Bohn explained that the DIA proposal was conceived in response to many comments and expressions of frustration by Commons businesses regarding the construction delays associated with the Commons Repair & Renovation Project. The purpose of the program would be to help businesses that are struggling primarily due to the construction. It would provide them with marketing assistance, resulting in a completed marketing project. The program would provide both a short-term and long-term benefit by working with the businesses one-on-one to identify a project they would like to pursue. The EDC believes it would be a good use of funds.

**Graham moved, seconded by Rosario:**

**2014 Action Plan — Program Amendment #3: Downtown Business Boost Program**

WHEREAS, the Downtown Ithaca Alliance (DIA) requests \$7,500 in CDBG funds to support the Downtown Business Boost program intended to upgrade social media and internet business marketing of at least 20 downtown street level businesses to retain and grow existing businesses, and

WHEREAS, reconstruction of the Ithaca Commons pedestrian mall is entering its third year of construction and DIA seeks to mitigate the adverse impact of on-going construction on downtown businesses, and

WHEREAS, results of January 2015 DIA survey completed by 55 businesses indicate that foot traffic and sales in 2014 declined from 2013 for most downtown businesses, and

WHEREAS, approximately two-thirds of surveyed retailers reported that sales revenues were down in 2014 at a time period when overall sales tax revenue in the city increased, and

WHEREAS, CDBG funds must be used to meet a national objective, such as benefit to low- and moderate-income persons, defined as a person earning no more than 80% of the area median income, adjusted for family size, and

WHEREAS, direct technical assistance to micro-enterprise businesses owned by low- and moderate income (LMI) persons is an eligible CDBG activity, and

WHEREAS, a microenterprise is defined as a business having five or fewer employees, one or more of whom owns the business, and

WHEREAS, DIA anticipates that at least 10 of the 20 downtown business participants in the program will qualify as LMI microenterprises, and

WHEREAS, the program will offer up to ten (10) hours of professional technical support services to each participant business to accomplish a discrete project to better utilize social media and/or the internet to market the business, and

WHEREAS, CDBG funds will be matched by \$7,500 and in-kind services valued at over \$5,000, and

WHEREAS, the IURA is authorized by the Citizen Participation Plan governing the HUD Entitlement Grant program to adopt non-substantive amendments to the Action Plan, and

WHEREAS, a change to use of CDBG funds for a new activity that is allocated \$25,000 or less is not considered a substantial amendment to the Action Plan and can be approved by the IURA, and

WHEREAS, \$100,000 in funds earmarked to provide partial loan guarantees to downtown businesses through the Downtown Construction Loan Program (#3, 2013) remains unobligated, and

WHEREAS, as of 12/31/14, an unobligated balance of \$1,011,000 is available in the Community Development Revolving Loan Fund (CD-RLF), and

WHEREAS, the Economic Development Committee discussed this matter at its December 12, 2014 and February 13, 2015 meetings and recommended the following; now, therefore, be it

**RESOLVED**, that the Ithaca Urban Renewal Agency hereby approves the following non-substantive program amendment to the 2014 Action Plan:

Project name:	Downtown Business Boost
Subrecipient:	Downtown Ithaca Alliance
Amount:	up to \$7,500
Match funding:	at least \$7,500
Funding source:	Community Development Revolving Loan Fund
CDBG eligibility:	Provide technical assistance to owners of microenterprises per §570.201(o)
National objective:	Low- and moderate-income (LMI) limited clientele
Use of CDBG Funds:	Technical assistance to at least 10 businesses that qualify as LMI micro-enterprises. A LMI micro-enterprise is a business that has 5 or fewer employees, including owner(s), and where the owner(s) earn 80% or less of the area median income adjusted for family size.
Outcome:	20 downtown microenterprise businesses accomplish discrete projects to improve on-line business marketing of street-level downtown businesses through the internet and/or social media.

**Carried Unanimously 3-0**

**B. Request for Release of Certain Collateral — J.G. McGuire, Inc. Loan (PB-LF #5)**

Bohn explained that the request was made by a guarantor of the Lot 10 loan, who had put up her personal vehicle as collateral and would now like to be released from the obligation. She is no longer associated with the business. Bohn noted that the Lot 10 loan is current and the business seems past any potentially risky stage in its development.

**Rosario moved, seconded by Graham:**

**J.G. McGuire, Inc., dba Lot 10 Bar & Lounge — Release of Certain Collateral (PB-LF #5)**

WHEREAS, the owner of a 2004 Toyota Matrix vehicle pledged as collateral for repayment of an \$64,500 IURA loan issued to JG McGuire, Inc. , dba Lot 10 Bar and Lounge (Lot 10) in 2012, requests release of the vehicle lien, and

WHEREAS, the IURA loan is secured by the following collateral and financial guarantees:

- Collateral:
1. 2<sup>nd</sup> lien on FF&E purchased from Wildfire Restaurant, Inc.
  2. 1<sup>st</sup> lien on all newly acquired FF&E, inventory and other business assets
  3. 1<sup>st</sup> security lien on 2005 Dodge Dakota truck
  4. 1<sup>st</sup> security lien on 2004 Toyota Matrix

Guarantors: Justin McGuire and Mathew Riis, each individually.  
Dan Kiely, \$2,000, individual limited financial guarantee,  
and

WHEREAS, Lot 10 has achieved their job creation goal and is current on loan repayments, and

WHEREAS, the outstanding balance on the IURA loan is \$40,661 as of January 31, 2015, and

WHEREAS, Lot 10 has submitted financial information showing the business is profitable, and

WHEREAS, the blue book value of the pledged 2004 Toyota Matrix is \$3,337, and

WHEREAS, at their February 17, 2015 meeting the Economic Development Committee reviewed this matter, and recommended the following; now, therefore be it

**RESOLVED**, that the IURA hereby releases a security lien on a 2004 Toyota Matrix vehicle that was pledged as security for repayment of the IURA loan issued to JG McGuire, Inc., and be it further

**RESOLVED**, that the IURA Chairperson is authorized, subject to review by IURA legal counsel, to execute any and all documents to implement this resolution.

**Carried Unanimously 3-0**

**IX. Other New/Old Business**

**A. IURA Chairperson Report**

None.

**B. Common Council Liaison Report**

None.

**C. Staff Report**

Bohn reported that the EDC is currently working on the details of the downtown Hilton Canopy Hotel property sale agreement. The project received final Site Plan Approval at the Planning and Development Board's February 2015 meeting.

**D. Next Meeting Dates: March 19<sup>th</sup> & March 26<sup>th</sup>, 2015**

**X. Adjournment**

The meeting was adjourned by consensus at 10:22 A.M.

— **END** —