



**ATLANTIC YARDS COMMUNITY DEVELOPMENT CORPORATION**  
at Long Island University's Brooklyn Campus  
Library Learning Center – 515C Conference Room (5<sup>th</sup> Floor)  
One University Plaza (at Flatbush and DeKalb Avenues)  
Brooklyn, New York 11201

**Meeting of the Directors**

Tuesday  
March 15, 2016 at 3:00 pm

PROPOSED AGENDA

CORPORATE ACTION

1. Approval of the Minutes of the July 28, 2015 and October 20, 2015 Directors' Meetings
2. AYCDC FY 2016/2017 Operating Budget Proposal – Approval of the Corporation's Operating Budget for the Fiscal Year 2016/2017 (April 1, 2016 – March 31, 2017)

FOR INFORMATION

3. President's Report – Corporate Update (Oral Report)
4. Public Comments

**Item #1**

**Minutes of the  
7/28/15 AYCDC  
Directors' Meeting**

Atlantic Yards Community Development Corporation  
Meeting of the Directors  
Held at the Long Island University's Brooklyn Campus  
Library Learning Center – Room 515C  
One University Plaza  
Brooklyn, New York 11201

July 28, 2015

MINUTES

In Attendance

Directors:

Kenneth Adams – Chairman  
Shawn V. Austin  
Julene Beckford  
Joseph Chan  
Monsignor Kieran Harrington  
Liz Harris  
Jennifer James  
Bertha Lewis  
Tamara McCaw  
Linda Reardon  
Jaime Stein

AYCDC Staff:

Elizabeth R. Fine – General Counsel  
Tobi Jaiyesimi – AYCDC Director  
  
Marion Phillips, III – President  
Debbie Royce – Corporate Secretary

ESD Staff:

Jonah Bruno – Press Secretary  
Sam Filler – Atlantic Yards, Project Manager  
Carey Gabay – First Deputy General Counsel  
Max Padden – Director, Subsidiary Finance  
Rachel Shatz – VP, Planning & Environmental Review  
Robin Stout – Senior Counsel

Also Present:

Thomas Balsley, Thomas Balsley Associates  
Jennifer Bienemann, HDR  
Ashley Cotton, Forest City Ratner Corporation  
Scott Solish, Greenland

Members of the Media  
Members of the Public

The meeting of the Atlantic Yards Community Development Corporation (“Corporation” or “AYCDC”), was called to order at 3:09 p.m. It was noted for the record that the meeting was being webcast and that the Directors had received all written material in advance of the meeting. Chairman Adams then noted for the record the Corporation’s policy which welcomes public comments on the items on the current Agenda. He noted, as referenced as the final Agenda item, that time would be made available for members of the public to make non-agenda related comments.

Before beginning with the substantive portion of the meeting, Chairman Adams welcomed new Director Jennifer James to the meeting, noting she was appointee of the Governor to fill a vacancy. Director James introduced herself stating she is the Director of Government and External Affairs for CUNY Medgar Evers College, is a resident of the Atlantic Yards Project Neighborhood, and is familiar with the Project. Chairman Adams then asked that each person at the table introduce themselves, which was done.

Chairman Adams asked the Directors whether anyone had any potential conflict of interest with respect to any of the items on the proposed Agenda. Hearing no response, Chairman Adams turned to the first order of business, approving the Minutes of the Directors’ meetings on March 23” 2015 and May 15, 2015. In order to provide the Directors with sufficient time to review such Minutes, Chairman Adams noted that a request for official approval of such Minutes would be made at the next AYCDC Directors’ meeting.

The Chairman then turned the meeting over to Marion Phillips III to provide the AYCDC

President's Report, noting that the oral report was an informational item that required no vote.

Mr. Phillips explained that the President's Report consisted of three parts, a Community Relations Update; a Project Update; and finally an action item concerning Project Open Space. He stated that the Project Developer, Greenland Forest City Partners, and its Landscape Architect Thomas Balsley would also make an Open Space presentation before action on the Open Space item.

For the Community Relations Update, Mr. Phillips noted that there was a June 10, 2015 Project site tour with NYC Department of Transportation ("NYC DOT") and NYC Police Department ("NYPD") to address recurring traffic enforcement issues surrounding the Project. Mr. Phillips also noted there was a June 24, 2015 Community Update Meeting which included a presentation by NYC.DOT and a presentation by the Developer on Open Space. The Open Space presentation received no objections from the community and will be repeated for the Directors at today's meeting. A July 17, 2015 Project site tour was also held with the community. These tours and meetings were attended by community members and organizations, elected officials and staff, and Community Boards #2 and #8 representatives, among others. Mr. Phillips noted a core set of concerns: traffic enforcement at Atlantic and Sixth; bus stops on Dean at Carlton and Sixth; bike lanes; changing traffic patterns on Pacific; traffic congestion and signage; tree guards on Dean and Carlton; and construction activity impacts. The incident report log noted 99 community complaints or concerns in the current calendar year through July 17<sup>th</sup>; three of the instances remain open; 94% are closed; and resolution time averaged about seven and a-half days.

Mr. Phillips then turned to Sam Filler for an update on the community feedback app. Mr. Filler noted that the app would be designed to create a centralized location for receipt of, and tracking response to, community concerns. A community meeting to discuss the app was held on May 27, 2015 at ESD's offices in Brooklyn with approximately 20 community members present, resulting in three major goals: fostering transparency in a centralized system; create a depository of historical data; and develop a better customer relations management system with more effective communication and action. Mr. Filler indicated that staff had reviewed similar apps in operation and in other communities in order to develop best practices, and had coordinated with New York State Information Technology Services. He noted staff is developing a Request for Proposal ("RFP") for launch sometime in the early Fall.

Mr. Phillips noted that the New York City School Construction Authority ("SCA") had held a site selection public hearing concerning a school within the Project footprint, and that the New York City Department of Education ("DOE") was in the process of identifying the type of school.

Mr. Phillips then asked for questions from the Directors. Director Stein asked about recurring community concerns. Mr. Phillips noted that recurring concerns dealt primarily with construction activity, including truck traffic, and pedestrian safety, specifically on Atlantic at Sixth, and also included bus stops, bike lanes, and tree guards, as set forth in more detail in the incident report log as sent to the Directors. Director Harrington asked that the NYPD 77<sup>th</sup> Precinct study Project area congestion. Mr. Phillips indicated he will convene a meeting to stay in communication with NYPD. Director Reardon asked about the nature of traffic changes on



Pacific Street. Ms. Jaiyesimi responded that some residents had requested that Pacific be made a one way to reduce congestion, but that no decision had yet been made by NYC DOT.

Chairman Adams asked how the list of recurring incidents was arrived at. Mr. Phillips replied that the list was derived from community meetings, e-mails, phone calls, and conversations.

Director Stein asked about establishing measurement metrics and prioritizing. Mr. Filler responded that the app would be designed to capture more data and to provide more descriptive metrics as a result. Chairman Adams and Director Stein asked about decreasing the length of time between receiving and responding to a concern, about when a matter is considered closed, and about collecting data on recurring issues.

Chairman Adams noted three points: broadening collection data; then code and categorize concerns; then set response priorities accordingly. At the request of Chairman Adams and Director Stein, it was noted that the Directors would review the app RFP before release. Chairman Adams asked about timing of the app. Mr. Phillips responded that the RFP was expected to be drafted in the summer and released in the fall, and that the selection process could take place within 30 to 45 days after release. Chairman Adams noted it would be good to have the app in place for the beginning of the first NHL Islander season at Barclays in the fall. Director McCaw asked about the process of resolving traffic issues with NYC DOT. Mr. Phillips responded that staff worked with the NYC DOT Borough Commissioner and City Hall.

Chairman Adams then introduced Atlantic Yards Senior Inspector Greg Lynch. Mr. Lynch explained that he is continually on the Project site working to monitor compliance



resolve concerns, and that his observations go directly into the incident report log.

Mr. Phillips then introduced Jennifer Bienemann, a Project Manager at HDR, an independent monitoring company retained by ESD to monitor Atlantic Yards Project construction, to speak about the Project's Noise Receptor Control Program ("NRCP"). As background, Ms. Bienemann indicated that the Project's 2006 Final Environmental Impact Statement ("FESI") and 2014 Final Supplemental Impact Statement ("FSEIS") analyzed potential adverse construction noise: the criteria for determining adverse impact are based upon the New York City Environmental Quality Review ("CEQR") guidelines for an acceptable interior noise level of 45 decibels. To achieve and maintain non-adverse interior noise levels, the Project Developer is required to provide, free of charge, air conditioners and double glazed or storm windows to affected neighbors, subject to owner/tenant consent, as memorialized in the Project's amended Memorandum of Environmental Commitments ("MEC"). Ms. Bienemann indicated that HDR is monitoring compliance with the NRCP, which began in 2007 with an outreach mailing program to 160 buildings predicted to experience adverse noise levels. Owners and tenants who accepted the offered receptor controls were outfitted with air conditioners and replacement windows. The FSEIS, based on revised construction phasing, expanded the number of owners and tenant eligible for noise controls, as indicated on a map provided to the Directors. Accordingly, Ms. Bienemann explained, a second outreach program was initiated in 2014, consisting of bi-lingual flyers attached to area residences. A copy of the flyers was distributed to the Directors. Ms. Bienemann noted that 8-foot and 16-foot construction fences also provide effective noise mitigation for construction at or below

grade. She further noted that the Developer must maintain records of eligible units, construction site triggers, and dates of outreach and installations. HDR monitors Developer compliance, which remains a work in progress. Ms. Bienemann then described the air conditioning unit installation procedure: eligible units are identified and measured; occupant then receives a purchase voucher and coordinates delivery and installation; and Developer pays the relevant expenses. Ms. Bienemann noted that the window replacement procedure was similar. Pursuant to the FSEIS, certified offer letters were sent to buildings near Block 1129 in December 2014 and March 2015. Ms. Bienemann noted that air conditioning installations are continuing but that no new windows have been installed because the majority of residents previously received window replacement based on the 2007 outreach. HDR considers the Developer to be actively fulfilling its NRCP requirements. HDR recommends they initiate relevant outreach three months prior to commencement of construction of future Project development components, and to circulate more widely the offer information, whether through flyers, the Project's two-week look ahead, at community meetings, or on the web. Ms. Bienemann advised the public to contact Developer representatives Roberta Furon or Bob Aberrara for information about eligibility.

Chairman Adams asked that the app be used to contact eligible residents.

Director Beckford asked about an appeal process if a building or unit is determined not eligible. Ms. Bienemann indicated that eligibility is determined by the FEIS and FSEIS.

Director James asked for the number of eligible units. Ms. Bienemann replied that the FEIS and FSEIS identified buildings, floors, and facades, but not individual units.

Director Stein asked if the program was seasonal, and Ms. Bienemann replied no, although more requests for air conditioning units come in the warmer months. Ms. Bienemann indicated that HDR would be tracking construction site-specific triggers and resulting compliance issues. Ms. Bienemann clarified that both air conditioners and window replacements were available to eligible occupants. Director Harrington asked about noise complaints and continuing outreach as units turned over. Mr. Phillips responded that, although certified letters were sent, flyers may be better for expanding and continuing outreach efforts. Director Stein asked again about an appeal process. Rachel Shatz, ESD Vice President for Planning and Environmental Review, responded that eligibility was defined by FEIS and FSEIS protocol. Director McCaw asked about collecting noise complaints outside the identified areas. Ms. Shatz responded that those are being tracked in the incident report log made available to Directors. Director Reardon asked about monitoring of actual noise levels, as distinct from EIS predicted levels.

Mr. Phillips then introduced the Developer presentation on Open Space, noting that the original, conceptual, Open Space designs are now being made specific, and that the Directors will be asked to recommend the updated Open Space plan to the ESD Directors.

Developer representative Ashley Cotton introduced Thomas Balsley, of Thomas Balsley Associates, the developer's landscape architect. Mr. Balsley presented the Directors with a set of goals for the Project's Open Space, designed to bring a robust

recreational experience to the neighborhood. Mr. Balsley also presented a composite shadow study of the Project site, demonstrating that most sunlight will fall on the former Pacific Street corridor. Mr. Balsley also noted that the new plan, which will be built out in flexible park fragments over time as buildings are developed, conformed to the original, conceptual, Open Space Design Guidelines, including north-south and east-west connections. The Pacific Street Promenade is planned to be 18-feet wide and to be surrounded by a lawn, active programming, urban lanterns (or kiosks), trees, lights, and park furniture. Water features will be more interactive and accessible. Mr. Balsley provided circulation diagrams to the Directors, discussed lighting for the Open Space, and showed renderings to the Directors of what the completed space would look like from a pedestrian's point of view. Mr. Balsley indicated the space would be family-friendly and recommended dog runs as a way to promote activity and safety.

Director Harris indicated that she was impressed by the plan, and asked about the winter appearance of the space. Mr. Balsley indicated trees and grasses would be selected to enhance a wintertime appearance. Director Reardon liked the plans and asked about whether the park benches would have backs. Mr. Balsley indicated that the intent was to have a wide variety of seating. Director Stein asked about the interpretive history ribbon trail, and Mr. Balsley replied that it was to educate, inspire, and buffer the Open Space from Atlantic Avenue. Director Stein asked about private versus public space. Mr. Balsley replied that only one very small piece of at-grade open space would be private, and that that space does not count against the required 8 acres of public Open Space. Director Austin asked about maintenance, and Ms. Cotton indicated that Developer would form a



conservancy which will maintain the privately owned, publicly accessible, Open Space.

Director Reardon asked about hours of operation. Ms. Cotton replied that the space will not close and will not be gated and showed the Directors suggested hours of operation summer and winter. Director Chan asked about the cost of maintenance and security, and Ms. Cotton replied that the conservancy will cover all requisite Open Space costs. Director Stein asked about Open Space appearance through continuing construction. Ms. Cotton indicated that the space will remain flexible, with interim uses as necessary. Chairman Adams then re-read the Open Space goals from the beginning of Mr. Balsley's presentation, and asked about materials and finishings. Mr. Balsley replied that the goal would be to create space that reads as one public space and not a series of private places. Chairman Adams asked about bike routes and Mr. Balsley replied that bikes would have to be walked through the open space for the safety of pedestrians. Director Stein asked about the number of trees and Mr. Balsley responded that the space would easily accommodate more than 600 trees.

Ms. Jaiyesimi then presented materials and resolutions for Director action in connection with the proposed changes to the Project's Open Space. Chairman Adams and Director Stein asked about community input. Ms. Jaiyesimi noted that the Balsley presentation had been made to the last community update meeting and that notes from that meeting were provided to the Directors. Chairman Adams then asked ESD counsel Robin Stout to clarify the process of amending the Open Space Design Guidelines. Mr. Stout responded that the Directors were being asked to authorize only specific changes to

the Design Guidelines, as Ms. Jaiyesimi had presented to the Directors, and that all other previously approved Open Space requirements would remain. Mr. Stout further noted that, if future Open Space Design Guideline changes were proposed, such changes would have to come back through the same public approval process, inclusive of Director review. Director Chan asked about the consistency of the space appearance through construction, and Mr. Balsley responded that sufficient consistent design vocabulary would begin to appear with the very first phases of construction. Director Harrington asked about the cost to create the space. Mr. Phillips indicated that no public dollars were required and Chairman Adams noted that Developer was required to build and fund the Open Space. Director Stein asked about the reduction in paved areas, and Mr. Balsley replied that more planted areas could be accommodated without sacrificing access or sight lines. Director Harris asked about public art. Mr. Balsley indicated that the current plan did not incorporate public art, and Ms. Cotton indicated Developer will consider opportunities for public art. Chairman Adams encouraged Mr. Balsley to consider the site's railroad history.

Chairman Adams then asked for public comment on the pending item. Peter Krashes asked about street trees on the arena block and over the LIRR yard, about the impact of building 5 on Open Space sight lines, and about construction staging. Elizabeth Martin asked about open space for the school in the Project footprint and about Open Space bathrooms. NYC DOE is expected to provide requisite recreational space for the school, and the open space will have restrooms. Norman Oder asked about other private at-grade space, and was reminded that Developer is required to create 8 full acres of public Open Space.

Hearing no further questions or comments from the Directors and no further comments from the public, upon motion duly made and seconded, the following resolution was unanimously adopted:

ATLANTIC YARDS COMMUNITY DEVELOPMENT CORPORATION - Brooklyn (Kings County) – Atlantic Yards Land Use Improvement Project and Civic Project - Authorization to Recommend that Empire State Development’s Directors Approve Open Space Concept Design Presentation Modifications to Open Space Design Guidelines; and Authorization to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation (the “Materials”), the Corporation hereby recommends that the ESD Directors approve the proposed modifications to the Project’s Open Space Design Guidelines set forth in the Materials; and be it further

RESOLVED, that the President is authorized and directed, in the name and on behalf of the Corporation, to take any and all such actions as may be necessary or appropriate to effectuate the foregoing resolutions, including making report to and submitting materials to the ESD Directors.

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Chairman Adams then thanked Ms. Jaiyesimi for his tour of the modular production facility at the Brooklyn Navy Yard, and asked for any further Director questions or comments. Director Harrington asked about 421-a legislation. Chairman Adams indicated that the Atlantic Yards project is covered under the existing 421-a legislation. Director Stein asked for an update on the NYC DOE school expected for the Project site. Mr. Phillips responded that the school was expected to be sited in building 15 and that NYC DOE was in the process of determining whether the school would be an elementary or middle school. Director Chan noted that NYC DOE and SCA are expected to conduct requisite environmental reviews. Director Stein asked about Project environmental monitoring. Ms.



Bienemann responded that such data was part of HDR's report to ESD. Director Harris asked if Project horticultural materials could be sourced from within New York State and Chairman Adams recommended that all Open Space materials be sourced from within New York State.

Chairman Adams then opened the meeting for general public comment. Mishoni Granville, Chair of Community Board #8 and Chair of Community Board #8's Housing and Land Use Committee, asked about the proposed location of the school within the Project site. Ms. Cotton responded that NYC DOE and SCA will determine location, not ESD, AYCDC, or the developer. Wayne Bailey, Community Board #8 Member-at-Large, asked why traffic was being diverted onto Carlton and Pacific. Mr. Phillips indicated that the matter had been raised with NYC DOT several times. Director Chan asked that NYC DOT and NYPD representatives present to the Directors. Resident Elizabeth Martin asked about truck damage to existing trees, and Chairman Adams directed that this concern should be raised with NYC DOT and NYPD. Peter Krashes, from the Dean Street Block Association, raised concerns about a lack of ESD oversight of the Project, about a lack of minutes for Quality of Life community meetings, about receiving qualitative as distinct from quantitative responses to community concerns, and about permitting community comment on the responses to community concerns. Mr. Krashes also raised questions about how HDR and ESD staff were monitoring MEC compliance, particularly with reference to noise attenuation. Ms. Martin asked about damage to buildings adjacent to the Project site.

Chairman Adams then asked for any remaining comments from the Directors, or the public. Hearing no further business, the meeting was adjourned the meeting at 5:50 p.m.

Respectfully submitted,

Debbie Royce  
Corporate Secretary

**Minutes of the  
10/20/15 AYCDC  
Directors' Meeting**

Atlantic Yards Community Development  
Corporation Meeting of the Directors  
Held at Long Island University's Brooklyn Campus  
Library Learning Center – Room 515C  
One University Plaza  
Brooklyn, New York 11201

and

Empire State Development  
37th Floor Main Conference Room  
633 Third Avenue  
New York, New York 10017

October 20, 2016

MINUTES

In Attendance

Directors:

Joe Chan – Acting Chairman  
Shawn V. Austin  
Julene Beckford  
Rachel Gold  
Liz Harris  
Jennifer James  
Bertha Lewis  
Tamara McCaw  
Linda Reardon  
Jaime Stein  
Barika Williams

AYCDC Staff:

Tobi Jaiyesimi – AYCDC Director  
Marion Phillips, III – President  
Debbie Royce - Corporate Secretary

ESD Staff:

Jonah Bruno – Press Secretary  
Sam Filler – Atlantic Yards, Project Manager  
Nicole Jordan – Manager, Community Relations  
Greg Lynch – Sr. Inspector, Atlantic Yards  
Robin Stout - Senior Counsel

Also Present:

Ashley Cotton, Greenland Forest City Partners  
Jane Marshall, Greenland Forest City Partners

Members of the Public  
Members of the Press  
Members of the Media

The meeting of the Atlantic Yards Community Development Corporation (the "Corporation" or "AYCDC"), was called to order at 3:18 p.m. by Acting Chairman Joseph Chan.

He reminded the Directors that the meeting was being webcast and that the Directors were free to ask questions at any time, and also reminded the audience that public comment was welcome on the Agenda items. He noted that public comment is limited to two minutes per speaker and must address the items under consideration. If an individual wished to speak on non-Agenda related matter, there would be a public comment period at the end of the Agenda.

Before beginning with the substantive portion of the meeting, Acting Chairman Chan asked the Directors whether anyone had any potential conflict of interest with respect to any of the items on the proposed Agenda. Hearing none, Acting Chairman Chan turned to the first order of business, approving the Minutes of the Directors' meeting on March 23, 2015 and May 19, 2015. He asked for questions or comments from the Directors. Hearing none and upon motion duly made and seconded, the following resolution was unanimously adopted:

ATLANTIC YARDS COMMUNITY DEVELOPMENT CORPORATION - Approval of Minutes of  
the March 23, 2015 Meeting and May 19, 2015 Meetings of the Directors  
of the Atlantic Yards Community Development Corporation

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RESOLVED, that the Minutes of the meetings of the Corporation held on March 23, 2015 and

May 19, 2015 as presented to this meeting, are hereby approved and all actions taken by the Directors present at such meeting as set forth in such Minutes, are hereby in all respects ratified and approved as actions of the Corporation.

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The Acting Chairman then turned the meeting over to Marion Phillips, III to provide the President's report. The oral report was an informational item that required no vote.

Mr. Phillips explained that the President's Report consisted of three parts: a Project Update; a Community Relations Update; and finally a presentation by the Project Developer, Greenland Forest City Partners, on Project construction. Mr. Phillips gave a presentation on Site 5, the current location of Modell's and PC Richard's stores at the intersection of Flatbush and Atlantic. He explained that the initial appraisal process towards condemning Modell's ground lease and PC Richard's property had begun. Mr. Phillips then gave an overview of what was permissible on Site 5 according to the Project's General Project Plan ("GPP"). He emphasized that a formal proposal for other Site 5 possibilities had not been presented, and that any changes to the GPP would require a full public review process, presentation to the AYCDC Board and approval by the ESD Board. He noted that condemnation would be for the purpose of developing the approved plan currently provided in the GPP.

Director Williams asked if there will be any efforts to re-employ current Modell's and PC Richard's employees on other sites. Mr. Phillips answered that the companies will continue

to operate on Site 5 until the properties are ready to be demolished, but that there has not been any formal discussion about the specific question asked.

Mr. Phillips then turned to Nicole Jordan for the community relations update. Ms. Jordan noted that community meetings were held on September 16<sup>th</sup> and October 14<sup>th</sup> to inform the community of on-going Project activity and to allow for community questions. She noted a total of 30 stakeholders attended both meetings, including representatives from ESD, Greenland Forest City Partners, elected officials' offices, City and State agencies, and community members. Further, she noted that during the meetings there were presentations on the plan for "B12" (615 Dean Street); abatement and demolition of "B15" (664 Pacific Street); upcoming Barclays Center activities; construction updates; and LIRR construction activities and that meeting attendees were also given the opportunity to ask questions and voice concerns. Ms. Jordan then explained that from January 1<sup>st</sup> to October 14<sup>th</sup>, ESD logged 117 incidents and that eighteen additional incidents have been received since the last AYCDC meeting. One of the incidents remained open, or unresolved, and three remain pending, or referred to an outside agency. The average response and resolve time is approximately 72 hours. The AYCDC Directors will be provided with a copy of the incident log.

Acting Chair Chan asked for a description of the incidents that were still open or pending on the log. Ms. Jordan explained that the open issue related to the Project's Noise Mitigation Program and rear windows. Ms. Jordan explained that three pending issues related to coordinating with the Long Island Rail Road, including trash collection and snow removal at



the Project site.

Director McCaw then initiated a discussion about the classification of recurring incidents on the log as open, pending, or resolved, particularly noise and traffic issues, and coordinating response to recurring issues with the New York City Police Department (“NYPD”) and the New York City Department of Transportation (“NYC DOT”). Director Austin concurred in the comment. Ms. Jordan and Mr. Phillips provided examples to help answer Director McCaw’s question and explained the meaning of each classification on the log. Mr. Phillips suggested keeping a tally of one time occurrences and recurring issues.

Director McCaw and Acting Chairman Chan then discussed having representatives from the NYC DOT and NYPD present at future AYCDC Board meetings. Director Stein was noted as being willing to facilitate a conversation between ESD and NYC representatives.

Director Reardon asked for an explanation of how changes to “Maintenance and Protection of Traffic” (“MPT”) plans are made and how such changes are conveyed to the community. Mr. Phillips directed the question to Jane Marshall of Greenland Forest City Partners. Ms. Marshall explained that the MPT plans the maintenance and protection of traffic surrounding the Project area. An MPT is developed for construction projects and presented to the NYC Office of Management of Construction (“OCMC”), a division within NYC DOT. Once the plans are approved by OCMC, the MPT plans are presented to the community (via update meetings and the construction two-week look-ahead), posted on the ESD website for

information, and then implemented. The community, or the developer or its contractors, may make MPT recommendations to improve Project area safety. But NYC DOT remains the agency with jurisdiction and approval rights.

Director Reardon and Director Stein asked about changes to truck protocols for the Project site. Ms. Jordan explained the process for establishing truck routing protocols for the Project, which are posted on the ESD site, and also explained the difference with DOT approved truck routes.

Director Williams then asked about how far in advance community meetings were set and when notice and reminders were sent to members of the community. Mr. Phillips explained that the schedule for Community Update Meetings is set at the beginning of the year and reminders are sent leading up to each individual meeting date, normally on two or three week advance notice. Acting Chair Chan reiterated the request that NYPD and NYC DOT attend Community Update (formerly known as Quality of Life) Meetings.

Mr. Phillips then turned the presentation over to Ashley Cotton of Greenland Forest City Partners. Ms. Cotton gave a development update on B2, B3, B14, B15 and B11. She noted that the work on the Barclays Arena green roof was not complete, but when the crane needed for the green roof work is dismantled, adequate notice will be sent to the community.

Ms. Cotton explained that “B3” (38 6<sup>th</sup> Avenue), an all-affordable building with approximately 300 units, broke ground in June 2015, is still doing site excavation work for the foundations, and is expected to open the second quarter of 2017. The next building “B2” (461 Dean Street) is a 50/30/20 building with 363 units. Ms. Cotton noted that construction had reached the 22<sup>nd</sup> floor, making it the tallest modular building in North America. The B2 modules are being constructed in the Brooklyn Navy Yard, driven to the Project site, and then lifted into place on B2. Ms. Cotton then moved on to “B15” (664 Pacific Street) and explained that three residential buildings and a commercial building on the site would soon be demolished to make way for a 616-seat school that will be at the base of a 100% market-rate residential building.

Ms. Cotton continued by stating that “B11” (550 Vanderbilt Avenue) construction was currently at the 8<sup>th</sup> or 9<sup>th</sup> floor and will be the first condominium building open at Pacific Park, with about 300 condo units. She noted that the sales center for the building was open in the Barclay Center. Ground breaking for B11 was December 2014 and opening is scheduled for first quarter 2017. Ms. Cotton next spoke about “B14” (535 Carlton Avenue), a 300 unit 100% affordable building that broke ground December 2014 with expected opening scheduled for fourth quarter 2016. She stated that there would be a 300-car parking garage beneath the building.

Director Williams asked about affordable housing units and the “Area Median Income” (“AMI”) bands used to determine the rent rates. Ms. Cotton answered that the

AMI bands on all three buildings have been previously set and publicly disclosed.

Ms. Cotton then spoke about the West Portal, East Portal and permanent rail yard work for the Long Island Rail Road. She explained that construction at the rail yard would be ongoing through 2017 and that the Atlantic Avenue MPT would not be changed until the work was complete. She also stated that some of the activity at the railyard included demolishing a 100 year old retaining wall, building a new structure, installing new LIRR electrical substations, and foundations and footings for future work, including the platform and residential housing above. Ms. Cotton explained the LIRR rail transportation efficiencies to be derived from the East and West Portal construction.

Director Stein asked about possible extensions to the construction timeline, and also the green roof crane and West Portal work on Atlantic Avenue. Ms. Cotton explained that the green roof crane has nothing to do with the LIRR rail yard work, it was placed in the West Portal MPT for efficiency. Ms. Cotton also clarified that the crane removed from the site was for B3 and not the green roof. Ms. Cotton noted that LIRR work under Atlantic Avenue will require continuing Atlantic Avenue traffic mitigation. The completion date for the final permanent rail yard is tentative for December 2017, inclusive of the footings and foundations for the future platform and residential buildings.

Director Williams asked about projected AMI bands for the future buildings at the Project. Ms. Cotton said that information would be provided when available.

Mr. Phillips then noted that the President's Report was completed. Acting Chairman Chan turned the meeting over to Ms. Jordan, who called on those members of the public wishing to make public comments, and noted the meeting was not a question and answer session.

Peter Krashes, representing the Dean Street Block Association, expressed that notifications for community meetings were sent without enough time for residents to plan their schedules. He suggested sending reminders at least 10 days before the meeting date. He requested formal minutes during all community meetings and addressed the timing, nature, and quality of responses to complaints and incidents, including street tree protection and rear window noise attenuation.

Dwight Smith, speaking on behalf of Community Board 2, requested the notes from a July 17<sup>th</sup> Project site tour.

Jim Vogel spoke on construction sequencing and the need to make Atlantic Avenue between Flatbush Avenue and east of 6<sup>th</sup> Avenue safer and more pedestrian friendly at the conclusion of construction.

Acting Chair Chan noted that staff would follow up on the items raised by public comment.

Director Williams asked that the agenda for future AYCDC Board meetings include the public questions and comments from the prior meeting, as well as responses from staff, so the Directors are aware of the follow up that took place.

Director Stein asked that an HDR representative be present at the next board meeting to discuss their quarterly reports and also incidents observed at the Project, and that HDR reports and appendices be posted on the ESD website. The specific issue of truck staging was raised as an example.

Director Williams asked about the process for setting up community meetings and notifying the public. Mr. Phillips explained the process for planning community meetings and informing community members. He also discussed the structure of community meetings and the various participants involved. Community meetings would be expected to occur every other month and AYCDC Director meetings would be expected to occur once a quarter.

Director Lewis, Director Stein and Director Williams then discussed recommendations for and possible changes to the community meeting to ensure that residents have an opportunity to voice their concerns and ask questions, including placing public comment first at least on occasion.

Acting Chair Chan, Director Lewis and Mr. Phillips then discussed improving the timing of notices to the public about community meetings, including commitment to specified minimum lead time, and following up with Directors about additional suggestions, including



how detailed should be the discussion about the incident log. The Directors discussed whether or not a transcript or summary of each community meetings should be delivered to the Directors in advance of Directors’ meetings. Mr. Phillips indicated staff would work on a summary.

Director Reardon asked for an update on the community app and Mr. Phillips noted that a draft RFP would be expected to be available for review by AYCDC Directors by the middle of next month.

Acting Chair Chan asked if the Directors had any additional questions or comments, hearing none, the meeting was adjourned at 4:34 p.m.

Respectfully submitted,

Debbie Royce  
Corporate Secretary



# Item #2



FOR CONSIDERATION

March 15, 2016

TO: The Directors

FROM: Marion Phillips, III

SUBJECT: Atlantic Yards Community Development Corporation  
FY 2016/2017 Operating Budget Proposal

REQUEST FOR: Approval of the Corporation's Operating Budget for the Fiscal Year  
2016/2017 (April 1, 2016 – March 31, 2017)

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I. Background

Attached for your review and approval is the proposed operating budget (the "Operating Budget") for the Atlantic Yards Community Development Corporation ("AYCDC" or the "Corporation") for Fiscal Year 2016/2017 (April 1, 2016 – March 31, 2017).

II. AYCDC 2016/2017 Operating Budget Summary

The Operating Budget proposes a total of \$125,903 in personal services (salaries and fringe benefits for one full time employee plus an allocation for the reimbursement of Empire State Development staff time spent assisting on AYCDC matters) and a total of \$198,194 in non-personal services (primarily professional fees, occupancy and other administrative expenses). The total of all personal and non-personal amounts for Fiscal Year Budget 2016/2017 is \$225,000. The Corporation's FY 2016/2017 operating budget is expected to be funded in its entirety from an imprest account maintained at and by ESD and funded by project developers.

III. Environmental Review

Approval of the Corporation's Operating Budget for Fiscal Year 2016/2017 constitutes a ministerial action as defined by the New York State Environmental Quality Review Act ("SEQRA") and the implementing regulations for the New York State Department of Environmental Conservation. No further environmental review is required in connection with this request.

IV. Recommendation

Based upon the foregoing, the Directors are requested to ratify and approve the Corporation's proposed FY 2016/2017 Operating Budget in the amount of \$225,000.

V. Attachments

Resolution

AYCDC – FY 2016/2017 Operating Budget

March 15, 2016

ATLANTIC YARDS COMMUNITY DEVELOPMENT CORPORATION – AYCDC FY 2016/2017  
Operating Budget Proposal – Approval of the Corporation’s Operating Budget for Fiscal Year  
2016/2017 (April 1, 2016 – March 31, 2017)

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BE IT RESOLVED, based on the materials at this meeting and ordered filed with the Corporation (the “Materials”), the Corporation’s proposed FY 2016/2017 Operating Budget is hereby approved, and adopted in all respects, substantially in the form set forth in the materials and subject to the availability of funds; and be it further

RESOLVED, that the Officers of the Corporation and/or appropriate designees, and each of them hereby are, authorized and directed to take all actions and execute all documents in connection with the establishment and implementation of the Corporation’s Budget; and be it further

RESOLVED, that the President of the Corporation or his designee be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolution.

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**Empire State Development  
Atlantic Yards Community Development Corp  
Operating Spending Plan FYE 2017**

	Spending Plan FYE 2016	Spending Plan FYE 2017
<b><u>PERSONAL SERVICES</u></b>		
Salaries	67,000	91,234
Fringe Benefits	25,460	34,669
<b>TOTAL PERSONAL SERVICES</b>	<b>92,460</b>	<b>125,903<sup>1</sup></b>
<b>HEADCOUNT</b>	<b>1.0</b>	<b>1.0</b>
<b><u>NON-PERSONAL SERVICES</u></b>		
<b>Professional Fees</b>		
Legal / Accounting Fees	60,000	0
Consultant Fees	50,000	50,000
<b>Total Professional Fees</b>	<b>110,000</b>	<b>50,000</b>
<b>Other Non-Personal Services</b>		
Employee Travel & Meals	1,000	1,000
On-line Services/ Due & Subscriptions	1,000	1,000
Office Occupancy Expenses	10,000	10,000
Insurance	17,333	30,597
Repairs/ Maint /Prop Mgmt/ Outside Serv.	16,950	5,000
Telephone/Fax/Internet	500	500
Office Supplies / Printing / Advertising	500	500
Computers/Software/Equipment	500	500
<b>Total Other Non Personal Services</b>	<b>47,783</b>	<b>49,097</b>
<b>TOTAL NON-PERSONAL SERVICES</b>	<b>157,783</b>	<b>99,097</b>
<b>TOTAL OPERATING BUDGET</b>	<b>250,243</b>	<b>225,000</b>

1 This amount includes an allocation for ESD staff time spent assisting on AYCDC matters