



**Atlantic Yards
Community
Development
Corporation**

A Subsidiary of Empire State Development

ATLANTIC YARDS COMMUNITY DEVELOPMENT CORPORATION

at the New York City Offices of
Empire State Development
633 Third Avenue – 37th Floor Conference Room
New York, New York 10017

Meeting of the Directors

Tuesday
October 17, 2017 at 3:00 pm

PROPOSED AGENDA

CORPORATE ACTION

1. Approval of the Minutes of the June 6, 2017 Directors' Meeting

FOR INFORMATION

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

Item #1

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

June 6, 2017

MINUTES

In Attendance

Directors:

Tamara McCaw – Acting Chair
Shawn V. Austin
Julene Beckford
Linda Reardon
Cy Richardson
Jaime Stein
Barika X. Williams

AYCDC Staff:

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

ESD Staff:

Lauren Axelrod – Senior Counsel
London Cruz – Legal Assistant
Daniel DaSilva – Director of Subsidiary Finance
Greg Lynch – Senior Inspector, Atlantic Yards
Rachel Shatz – VP, Planning & Environmental Review

Also Present:

Ashley Cotton, Greenland Forest City Partners

Members of the Media
Members of the Public

Prior to calling the meeting to order, Tamara McCaw stated that he would serve as Acting Chair for the meeting. The meeting of the Atlantic Yards Community Development Corporation (“AYCDC”) was then called to order at 3:25 p.m. The Directors were reminded that

the meeting was being webcast and that they had received the written materials in advance of the meeting and were free to ask questions at any time. She noted for the record the Corporation's policy which welcomes public comments on Agenda items, and non-Agenda items during the public comment period.

Acting Chair McCaw asked whether anyone had any potential conflict of interest with respect to any of the items on the proposed Agenda. Hearing none, she moved to the first order of business, approval of minutes for the March 29, 2017 Directors' meetings.

Hearing no comments or edits from the Directors, upon motion duly made and seconded, the following resolution was adopted with Directors McCaw, Reardon and Williams noting they were recusing themselves from the vote as they did not attend the March meeting:

ATLANTIC YARDS COMMUNITY DEVELOPMENT CORPORATION – Approval of Minutes of the March 29, 2017 Meeting of the Directors of the Atlantic Yards Community Development Corporation

RESOLVED, that the Minutes of the meeting of the Corporation held on March 29, 2017 is 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.

* * *

Acting Chair McCaw then invited Marion Phillips to provide the President's Report as an informational item. He noted that Jeremy Cooney transitioned out of the ESD Community

Relations team to do strategic work with the Governor's office. Mr. Phillips explained that AYCDC Director, Tobi Jaiyesimi, will assume the community relations role until the position is filled. He noted that Project related complaints and concerns can be called in, emailed to AtlanticYards@esd.ny.gov or posted to the Atlantic Yards Watch site. He advised that residents are also encouraged to submit 311 complaint numbers to be added to the ESD Incident Log. Mr. Phillips introduced Lauren Axelrod as the new Project attorney, replacing Robin Stout who is now President of ESD's Subsidiary, the New York Convention Center Development Corporation.

Tobi Jaiyesimi then gave the Community Relations update. She spoke about the May 2, 2017 Quality of Life Meeting, during which residents raised concerns with traffic, parking regulation signs, and constructions fences around the Project site. She further noted that representatives from the offices of local elected officials, Community Boards, and community organizations were in attendance at the meeting. She stated that there were no updates to the ESD Incident Log and advised that Greg Lynch continues to monitor the site numerous times a day, anticipating any community concerns or issues that might arise. She stated that joint walk-throughs with the NYC Department of Transportation and the NYPD continue to take place.

Director Stein then asked about changes to the height of the Block 1129 construction fence. Rachel Shatz and Ms. Jaiyesimi explained that portions of the fence were reduced to accommodate the Post Office facility on Dean Street and that portions of the fence remain at 16 feet around the B12 and B13 sites. Ms. Shatz noted that the USPS approached the NYC

Department of Transportation regarding changes to the construction fence citing logistical conflicts with accessing loading bays. Ms. Jaiyesimi added that the 16 foot fence currently around the B12 and B13 sites is required for noise and dust mitigation, and while both buildings are not under construction, there is ongoing Open Space work and staging activity for the Long Island Rail Road. Director Stein asked about a dumpster behind the 8 foot portion of the fence and its impact to the residences across the street. Ms. Jaiyesimi responded that staff had not observed a dumpster behind the shortened construction fence, but will look into the matter and follow-up accordingly.

Director Reardon asked if the construction fence could be moved laterally given the safety concerns with current traffic lane configurations with the bicycle lane. Ms. Shatz responded that the request has been presented to the Developer and the space behind the fence is needed for construction staging. Also, she stated that moving the fence is a significant undertaking because of the cement blocks that form the base.

Director Reardon asked if additional information could be provided on the activity behind the fence. She added that the cost of moving the fence should not be taken into consideration over traffic safety concerns. Ms. Shatz explained that there have been no safety concerns or issues raised from emergency service vehicles, and buses have been observed to be able to navigate the site. Illegal parking can cause some traffic constraints, but that activity cannot be controlled. Additionally, she noted that moving the fence would not result in the restoration of additional parking spots along Dean Street. It was noted that should activity at

the B12 and B13 sites be delayed for a prolonged period of time, Mr. Phillips committed to readdressing the configuration of the construction fence with the Developer.

Director Williams asked about a question posed during the Quality of Life meeting on how changes to the 421a legislation will impact the affordable housing programming for the Project. Ms. Jaiyesimi responded that the question can be addressed by the Developer during their presentation. She stressed that the commitment to building 2,250 units of affordable housing by 2025 was non-negotiable.

Director Stein then asked about a Community Board 2 Meeting regarding the redesign of Times Plaza. She requested that the AYCDC Board receive a presentation on Times Plaza to better understand the challenges at the site. Mr. Phillips stated that a presentation can be made at the next Board meeting.

Director Stein then asked about how the Board would operate within the process for drafting the Supplemental Environmental Impact Statement (“SEIS”). She suggested that the Board consider drafting an RFP to hire consultants to help the community better understand the SEIS process. Mr. Phillips noted that there are consultants available to provide those services, but there currently is no program to present to the community for consideration. Director Stein explained how consultants or facilitators could be used to engage the community on the draft scope of the SEIS and compile their thoughts and recommendations. She suggested possibly having community meetings before the scoping hearing for the SEIS.

Director Stein, Mr. Phillips, Ms. Shatz and Ms. Jaiyesimi had a discussion about the SEIS process and ways to ensure community involvement. They agreed to thinking through possible ideas in response to Director Stein's request.

Director Williams then asked that the Board receive notification when lotteries open and information on the specific income bands and affordable units available. Mr. Phillips explained that the Directors have been notified about past lotteries and will continue to be notified about future buildings. Director Williams then requested information on the total number of applications received for the affordable housing lotteries, including income and community preference thresholds. Mr. Phillips responded that the information requested may not be available until the buildings are completely occupied, but the readily available data will be provided.

Mr. Phillips then turned the meeting over to Ashley Cotton for the Developer's report. Ms. Cotton stated that the 50 percent affordable building at 461 Dean Street has been issued a Temporary Certificate of Occupancy ("TCO") for all floors and is 60 percent leased. She noted the sidewalk replacement work is complete, and the retail space on the lower level is being actively leased.

Ms. Cotton added that the building received over 90,000 applications for the affordable housing lottery. She stated at 38 Sixth Avenue the lottery is closed, but the leasing has not begun and that interior work continues and the building is not yet complete. Further, she

noted that at 535 Carlton Avenue the building has been issued a full TCO except for the parking garage. She stated the construction fences have been removed, families have moved in, and over 90,000 applications were received for the lottery.

Ms. Cotton advised the condo building at 550 Vanderbilt Avenue was issued a TCO through 16 floors; there are people living in the building, but the retail space is vacant. She stated the publicly accessible Open Space around 535 Carlton Avenue and 550 Vanderbilt Avenue is currently under construction.

Ms. Cotton noted that the Developer is working with the NYC Department of Transportation to order and install parking regulation signs around the site and that Carlton and Vanderbilt Avenues have been restriped.

Director Richardson asked when people started moving into 550 Vanderbilt Avenue and Ms. Cotton responded that the first move-ins started two months ago. Director Williams then asked whether Pacific Street will soon become publicly accessible. Ms. Cotton and Mr. Phillips explained that Pacific Street will eventually become Open Space that is publicly accessible, but it is currently used for construction staging and truck queuing.

Ms. Cotton then spoke about the Affordable New York Programs, formerly 421-a. She explained that the legislation is being reviewed and that there are ongoing conversations with the City's housing agency. She stated that Section 13 in the old 421-a legislation considered the

entire Project as one building, but with new legislation it is not possible for a one hundred percent market rate building to qualify for 421-a benefits. She noted the impact of the new legislation is still being evaluated, but it does not change the commitment to building affordable housing units. Director Williams then asked if this new development changes whether future buildings, such as B13, B9 and B10 will be one hundred percent market rate units, and how that would affect the pacing and ratio of the affordable units. Director Williams noted that she was concerned that there would be a divide in the concentration of affordable units and AMI bands along the north and south sides of the Project. Ms. Cotton explained that each building is negotiated with the government agency issuing the benefits and every single building is treated differently. Ms. Jaiyesimi added that the north side of the Project will be constructed after the southern portion because of the construction of the platform for the railroad. Director Williams emphasized the need to monitor the distribution of AMI bands across the Project site and to flag the issue for the Board.

Ms. Cotton continued with her report, noting that negotiations with the neighbor at the B15 site, 664 Pacific Street, is still ongoing and a licensing agreement has not been secured. She advised that the Maintenance and Preservation of Traffic (“MPT”) Plans for the B15 site will be updated when construction activity starts to reflect the progress made at B3. She stated that work at the Long Island Rail Road continues with the West Portal close to completion and the substations for the employee office buildings have been installed and are currently being fitted out. She noted that pile driving at the future overbuild at B5 is completed, and the piles at B10 are halfway done.

Ms. Cotton reviewed the scope of ongoing work at the Long Island Rail Road, gave updates on changes to the construction fences along Atlantic Avenue, and plans to erect a median on Atlantic Avenue as a pedestrian refuge. She mentioned a community notice that was distributed regarding street closures for the water main installation and restoration of the street and sidewalk.

Mr. Phillips asked Ms. Cotton to explain the activity captured on a photo in her presentation. She answered that the image showed the metalwork holding the concrete for the piles and foundational footing for future overbuild. She then touched on the Times Plaza Redesign, feedback from the community about safety concerns, and the approval process with DOT.

Director Stein asked about the AYCDC's role as it relates to Project mitigations. Ms. Shatz responded that the Times Plaza Redesign falls under DOT jurisdiction, it is an ESD requirement, but DOT provides the approvals. Director Williams asked if it were possible to have DOT present its plans to the Board or at a Quality of Life meeting. Ms. Cotton explained that DOT holds its meetings through the Community Board process because it is a City agency. Ms. Cotton agreed to make a presentation on Times Plaza at the next meeting of the Directors.

Director Stein noted that the Board was not informed about Project related meetings on issues such as the Times Plaza Redesign and the construction of the school until after decisions were made and approvals issued. In response, Ms. Jaiyesimi noted that she will send Directors

notice of Project-related meetings not facilitated by ESD. Director Williams added, and Director Richardson agreed, that it was important for the Board to be kept abreast of meetings and issues concerning progress at the site so there is no disconnect and lack of engagement. Mr. Phillips agreed to keeping the Directors informed and engaged.

Acting Chair McCaw then transitioned the meeting to the public comment period. The first speaker was Peter Krashes representing the Dean Street Block Association and the Barclays Center Impact Zone Alliance. Mr. Krashes spoke about the Times Plaza Redesign and the MTA's involvement in the process. He addressed the integration of affordable and market rate units across the Project site, and also correspondence from the Dean Street Block Association about changes to the construction fence along Dean Street. Mr. Krashes raised concerns with the Quality of Life meetings and agency participation.

After the public comment period, Director Williams asked about signage for the publicly accessible Open Space. Mr. Phillips responded that the information will be requested for the next meeting.

Hearing no further business, the meeting was adjourned at 4:47 p.m.

Respectfully submitted,

Debbie Royce
Corporate Secretary