

Saratoga Springs City Center
Authority Meeting
Wednesday, January 13, 2016
8:00 am
City Center

*** All individuals wishing to address the City Center Authority are asked to sign in. Individuals will be called on in the order of sign-in.**

- I. **Meeting Called to Order** – Authority Members Sign-in
 - A. Chairman’s Welcome and Comments

- II. **Consent Agenda**
 - A. **Minutes:** December 9, 2015 Authority Meeting and executive session
 - B. **December 2015 Financial Statement**

- III. **Public Comment Period:**

Individuals will be called on in the order of the sign-in sheet. The Public Comment Period is for statements, presentations and comments. It is not a debate. The Authority Members will not respond to or answer questions. Presenters are asked to be brief and direct with their comments; 2 Minutes

- IV. **Financial Report:**
 - A. December 2015 Statement
 - 1) 2015 Year-End Projection- Discussion
 - B. Investment Accounts 12/31/15
 - C. Occupancy Tax Account
 - 1) January 2016 Payment for the 9/1/15 to 11/30/15 -\$292,137.28. This is a \$44,759.00 increase over the same period last year.
 - 2) Historical Comparison
 - January 2015: \$247,378
 - January 2014: \$216,309
 - January 2013: \$205,686
 - January 2012: \$220,347
 - January 2011: \$189,756
 - January 2010: \$188,261

- V. **Chairman’s Report:**
 - A. Parking Structure Update – T. Roohan, M. Baker
 - 1) Land Use Boards Approval Process Up-date
 - a. DRC
 - 2) Land Lease Update
 - 3) Approval Legal Fees: Jones Firm October 2015
 - 4) Approval Design/Engineering Fees: Envision Architects, Chazen Engineering
 - 5) Other Items
 - a. Construction Contract: Price confirmation
 - b. Construction Manager RFP
 - c. Staging and Shuttle/Transportation
 - d. Financing
 - e. Fact Sheet
 - B. Sculpture Presentation
 - C. Future Booking/Sales Direction
 - D. Letter of Resignation
 - E. Future Meeting Dates
 - Wednesday, February 10th
 - Wednesday, March 9th –Annual Meeting
 - Wednesday, April 13th

VI. **President's Report:**

- A. Sales Report 2016 and 2017
- B. Code of Ethics/ Financial Disclosure Statement
 - 1) Please return by February 19th
- C. January 1st City Council Inaugural Meeting
- D. Building Projects
 - 1) RFP – Original Washroom Restoration

VII. **Other Business:**

VIII. **Adjournment**

Next Authority Meeting: Wednesday, February 10, 2016, 8 am

Saratoga Springs City Center
AUTHORITY MEETING

8:00 am
522 Broadway
January 13, 2016

Present: J. Dalton S. Schneider (Via tele-conference)
R. Higgins C. Wheeler
T. Roohan

Also Present: M. Baker Mayor Yepsen
L. Bachner R. McMahon
T. Garafano N. Wagner

Absent: R. Goldsmith
S. Farnsworth (resigned)

Meeting Called to Order

At 8:01 am Chairman J. Dalton called the meeting to order. He explained that since T. Roohan has to leave the meeting prior to adjournment, S. Schneider agreed to attend the meeting via teleconferencing to assure that a quorum could be maintained throughout the entire meeting.

Consent Agenda

Minutes

J. Dalton requested a motion to approve the minutes from the December 9, 2015 Authority meeting and executive session.

Motion to approve the December 9, 2015 meeting minutes as presented, made by T. Roohan and seconded by C. Wheeler; unanimously approved.

December 2015 Financial Statement

M. Baker said the December 2015 financial statement is well within budgetary limits. He noted that November and December were very active and profitable. Referring to the Accounts receivable, M. Baker reported that nothing is in jeopardy. Revenues are at 94% of the amount budgeted and expenses are at 90.7% to budget.

Motion to accept the December 2015 Financial Statement as presented made by T. Roohan and seconded by C. Wheeler; unanimously approved.

Public Comment Period

No one spoke

Financial Report

December 2015 statement

2015 Year-end Projection

M. Baker distributed the year-end projection for 2015 as operating revenues of \$944,748, 96.2% to budget. Total revenue is \$1.6m compared to \$1.7m budgeted, 97% to budget. Expenses are well below budget; 92.8%. M. Baker said there is an operating fund balance projected of \$34,000. There should not be much change when the year is closed out and the numbers presented include accounts receivable. All figures are reviewed and audited by the Department of Finance.

M. Baker referred to the Investment account balances. He stated that the total as of December 31, 2015 is \$6,270,456.60 in the Occupancy Tax Account. He noted that only 95% of the 2015 operating budget ROT budgeted was used so over \$6.2m is being carried forward including encumbrances.

Investment Accounts 12/31/2015

Occupancy Tax Account

January 2016 Payment for the 9/1/15 to 11/30/15 ---\$292,137.28

M. Baker noted that the final quarter payment of Occupancy Tax is a \$44,759.00 increase over the same period last year. He stated that the payment is an increase over the previous six years, indicating that post track season is an important time period to our community.

T. Garafano informed the Authority that the lodging factor is healthy in town despite new inventory; an 18% increase is significant especially with new inventory which shows that demand is up. He pointed out that new lodging venues need five or six months to ramp up but the Embassy is doing well despite a higher rate structure most likely because their rates include a substantial breakfast and a cocktail hour.

Historical Comparison

M. Baker said that upon examining the amounts from 2010 forward to the present, it is evident that the occupancy tax collection has grown significantly.

January 2015: \$247,378
January 2014: \$216,309
January 2013: \$205,686
January 2012: \$220,347
January 2011: \$189,756
January 2010: \$188,261

M. Baker advised that everyone profits from the Tourism industry; for the Occupancy tax payment, the City Center receives 2%, the City and County each get 1% and the Bureau receives 2%.

T. Garofano noted that the Saratoga Gaming and Raceway has about 3000 square feet of meeting space and they also have some space in Vapor. He said the design of the hotel has not been completely finalized.

M. Baker said the Tourism Bureau and the City Center are leading the charge towards greater convention/conference sales.

Chairman's Report

Parking Structure Update

Land Use Board Approval Process Up-date
DRC

T. Roohan reported that preliminary approval for mass and scale has been received by the Design Review Commission. The next step is to finalize the land lease agreement with the City then return to the DRC for approval of architectural materials. M. Baker stated that Matt Jones, Mike Ingersoll and Envision Architect did well with their presentation to the DRC.

Land Lease Update

M. Baker explained that Jim Carminucci is working with the City's Department of Finance on the land lease. He said that things have taken so long to come together that another meeting will be initiated to be sure that everything meshes. The draft that the Authority has seen and reviewed will need to be refreshed and once again reviewed by legal counsel with the Authority. The lease agreement must go through the City Attorney and the City Council with Public Hearings along the way. Conversations will be continued and everything refreshed before finalization.

Approval Legal Fees: Jones Firm October 2015

M. Baker said that the Jones Firm has submitted 3 invoices for their legal representation on the City Center parking structure from October through December 31 of 2015. Invoices include work on the ongoing litigation the City Center is working on regarding Article 78. The invoices total \$66,018.88.

Motion to approve payment of the 3 invoices dated 11/3/2015, 1/4/2016 and 1/8/2016 totaling \$66,018.88 made by T. Roohan, and seconded by C. Wheeler; unanimously approved.

M. Baker advised that the money is in the line items but he will have to return to the Authority for approval or more encumbrances for future legal services. T, Roohan commented that most of M. Jones' services have been completed except for the lawsuit. M. Baker agreed that most of the heavy lifting is over. He said the lawsuit is ongoing and they are working in concert with Assistant City Attorney Tony Izzo and City Attorney Vince DeLeonardis. They are filing a summary motion for dismissal which will most likely be appealed. The

litigation stays the City Center from filing the approved subdivision with the County. M. Baker explained that an order to show cause for an extension to file will be submitted, to have 90 days to file Mylars, so this necessitates a return to the Planning Board by March for the extension. T. Roohan said this is very common. M. Baker said this will be done by the 21st but there might be pushback; it is not an easy process and we are walking through it very carefully.

Approval Design/Engineering Fees: Envision Architects, Chazen Engineering

M. Baker said an invoice has been received from Bette Cring for subcontractor Envision Architect in the amount of \$31,752.54 for architectural and engineering services.

Motion to approve payment of the Bette Cring invoice for Envision Architect in the amount of \$31,752.54 made by C. Wheeler and seconded by T. Roohan; unanimously approved.

Other Items

Construction Contract: Price Confirmation

M. Baker reported that there is no construction contract as yet. We must go back to Bette & Cring for a revised construction budget with all modifications included.

Construction Manager RFP

M. Baker clarified that the project is subject to the parameters of Wick's Law so someone must coordinate and manage the project.

Staging and Shuttle/Transportation

M. Baker said this has been discussed with others for so long that it is necessary to go back to CDTA to refresh and confirm previous discussions and agreements and tighten up protocols. He said discussions with private sector businesses have not gone too far because there is not enough detail yet. T. Roohan said that National Grid is positive about the use of the old "Gas Plant" lot because the commitment would be for less than one year; they have no problem providing solutions to short term problems. We can return to them to finalize details once we have the dates.

Financing

M. Baker said that C. Brown, Director of Finance is frequently contacted to be sure that we are in step with State mandates.

Fact Sheet

M. Baker said the fact sheet is in the agenda packet; he encouraged Authority members to use and share it.

Sculpture Presentation

M. Baker said this goes back to the issue with the 9/11 sculpture that was too large for its intended location on the corner of Broadway and EJP; in front of the City Center. The Authority thought something should be on that corner and Bill Dake has proposed a gift of a sculpture that would be set up in that area. It is an interactive sculpture of a stylized "S" with a bench seat. It would be a gift to the City; maintenance and insurance still have to be worked out. Department of Public Works has to weigh in and approve the location. B. Dake is asking that a decision be made relatively quickly because there is only time to construct it in the winter.

Mayor Yepsen said that everything in the past from Bill Dake has been highly appreciated. This is a different piece and fits in the category of public art. She said she has convened an Arts Commission that meets quarterly and consists of 20 qualified people with a task force and an executive committee that makes decisions. The decisions will fit with wayfinding concepts that things must have a directional and location purpose. The commission is getting proposals from other people for other locations. She said she is working on this and will get back to Bill Dake soon; it is a great idea for that corner.

J. Dalton said the first step should be a plan for the location because it is a disaster when the art is picked first then the location second. The art must be crafted to suit the location. M. Baker asked whether the authority wanted to weigh in on the issue.

Motion to support the concept of the sculpture with the addition of a landscaping border similar to the City Center's landscaping, subject to the recommendation from the Arts Commission and approval of the City Council made by T. Roohan, and seconded by C. Wheeler; unanimously approved.

Mayor Yepsen said this is a process and progress will not be held up. C. Wheeler suggested that the sculpture be placed on a riser for future maintenance and to reduce wear and tear.

Future Booking/Sales Direction

T. Garafano said that the Bureau is adding a sales person to handle the association market due to the new competition in Albany, Schenectady and Lake George. He said that one of his staff was promoted to oversee the sales team and the new person will split the association market focusing on new business. A person was hired last year for the corporate and small meetings market. The team is providing incentives and working hard to be successful. M. Baker said that more National conferences are needed in June, July and August because those months are desolate. T. Garafano said that special events and conferences have filled in January through March. M. Baker said that we must grow our market share of Regional/National city-wide conferences. T. Garafano said that strategy meetings will continue.

Letter of Resignation

J. Dalton announced the resignation of S. Farnsworth from the Authority. She has moved to Israel.

Motion to accept the letter of resignation by S. Farnsworth with regret made by S. Schneider, seconded by R. Higgins; unanimously approved.

Future Meeting Dates

J. Dalton announced the next three meeting dates of 2016 as Wednesday February 10, Wednesday March 9, and Wednesday April 13. He said he would be out of town March 9.

Presidents Report

Sales Report 2016 and 2017

M. Baker said that sales continue on a positive track for 2016. We are attracting a number of larger events. He said that 2017 is being closely watched because new, competing venues will be opening. He said the City Center sales team is striving to grow our market share of State agencies; and trying to get three-year commitments however we are very conscious of the fact that some state groups will have to "test drive" new facilities. M. Baker referred to charts of projected year end comparisons. He said that there were more guests in 2015 than in 2014. There was a slight slippage in total events in 2015. For 2016, overnight business is the primary target. There was a 5% increase in paid dates in 2015 (251.75), up from 240 in 2014; and the number of use-days decreased by 8 in 2015.

Code of Ethics/Financial Disclosure Statement

M. Baker distributed the Code of Ethics and financial disclosure statements to the Authority members. He asked that they be completed, notarized and returned to M. Baker by 2/19/2016. Once they are submitted, it is required that they be filed with Saratoga County Attorney.

January 1 City Council Inaugural Meeting

M. Baker said that in the agenda packet is a copy of a letter from Mayor Yepsen thanking the Authority for hosting the City Council inauguration. Mayor Yepsen said that it was very successful and well attended. She commented that First Night was outstanding at the City Center and packed. T. Garafano said there were lots of over-night guests for First Night.

Building Projects

RFP- Original Washroom Restoration

M. Baker said that an RFP is being prepared for the renovation of the older washrooms at the City Center.

Other Business

Mayor Yepsen said that she will take recommendations to fill S. Farnsworth's seat on the Authority. She will conduct interviews and ensure that the best qualified person is selected. She said an Oath of Office and a completed disclosure form is required for all appointed Board, Commission and Authority members. She will do this as soon as possible because she wants the Authority to have a full roster. She noted that T. Roohan has been a great asset on the Parking Committee.

Mayor Yepsen said that in regards to occupancy tax revenue, there will be a large conference here April 9 – 11 and she has been working with the Tourism Bureau and the Chamber of Commerce and the Regional chamber to bring lots of representatives into the City for the HUD Conference. The conference will focus on housing issues, and include real estate developers. This is the third annual HUD conference but the first time is held here. The Hilton and the City Center are hosting the event. M. Baker said that every effort has been made to work with the Mayor/City on this conference.

Mayor Yepsen announced that there was a recent meeting with the New York State Department of transportation and they are planning to re-do the Arterial which will be a huge improvement for the City's Northern gateway.

Adjournment

Motion to adjourn at 8:59am made by S Schneider and seconded by R. Higgins; unanimously approved.

The next City Center Authority meeting will take place on Wednesday, February 10, 2016, 8:00am.

**Saratoga Springs City Center
Authority Meeting
Wednesday, February 10, 2016
8:00am
City Center**

- I. Meeting Called to Order – Authority Members sign-in

- II. Public Comment Period:
Individuals are welcome to address the City Center Authority. Please state your name and address. Statements and comments should be kept to a maximum of two (2) minutes. This is not a debate or dialogue. Authority Members will not respond nor answer questions. Respectfulness and civility are requested.

- III. Consent Agenda
 - A. Approval of Minutes: January 13, 2016 Authority Meeting
 - B. January Financial and Investment Report
 - C. Authorization to pay Jones Firm; January 2016

- IV. Chairman's Report
 - A. Authority Parking Structure Update – T. Roohan, M. Baker
 - 1. Land Lease Formulation
 - a. Special Meeting with Legal Counsel

 - B. Appointment of Nominating Committee for Authority Officers: Vice Chair & Secretary
 - 1) Report to March 2016 Annual Meeting
 - a. Charlie Wheeler
 - b. Tom Roohan

 - C. Appointment of Finance/Audit Committee
(Familiar with corporate financial and accounting practices)
 - 1) Rick Higgins, Chair
 - 2) Shelby Schneider
 - 3) Joe Dalton

 - D. Mandates: "Public Authorities Accountability Act of 2005"
 - 1) Annual Disclosure Form

 - 2) Saratoga Springs City Center Authority Ethics Board (term)
 - a. Roger Goldsmith - Chair 1/1/14 - 12/31/17
 - b. Charlie Wheeler 7/12/13 - 2/15/18
 - c. Tom Roohan 2/13/13 - 12/31/16Staff Designate: Mark E. Baker

 - 3) ABO- Mandated Website
 - a. saratogacitycenter.org

 - 4) Saratoga Springs City Center Authority Governance Committee
(Board informed of current best practices)
 - a. Board to serve as a Committee of the whole (continuation)

 - E. Resolution to Empower President
 - 1) Chief Executive Officer (CEO)
 - 2) Authority Contracting Officer-disposition of property

 - F. Establish Chief Financial Officer

1) Donna Barone

- G. City Center Records Management
 - 1. Mission Statement
 - 2. Resolution to Appoint Record Management Officer

- H. Announcement of Annual Meeting
Saratoga Springs City Center Authority
Annual Meeting
Wednesday, March 16, 2016

V. President's Report

A. 2016 NYO Retirement Rates

B. 2016 Sales Comparison; same point in year

	<u>Definite Bookings</u>	<u>Tentative Bookings</u>
Feb. 2008 (Actual)	148.75 Days	34.00 Days
Feb. 2009 (Actual)	144.50 Days	32.50 Days
Feb. 2010 (Actual)	125.50 Days	45.25 Days
Feb. 2011 (Actual)	115.50 Days	58.50 Days
Feb. 2012 (Actual)	183.74 Days	63.25 Days
Feb. 2013 (Actual)	193.75 Days	52.00 Days
Feb. 2014 (Actual)	197.00 Days	39.25 Days
Feb. 2015 (Actual)	200.00 Days	40.50 Days
Feb. 2016 (YTD)	186.50 Days	75.25 Days
Feb. 2017 (Projected)	50.50 Days	162.25 Days

C. 2016 and 2017 Sales

D. Building, Liability Insurance Renewal
1) Review and Vote

E. Expense Approval: Sales & Marketing

F. Approval of Engineering Firm for Washroom Rehabilitation

VI. Other Business

VII. Adjournment: Next Authority Meeting: Wednesday, March 16, 8am, City Center

Saratoga Springs City Center

AUTHORITY MEETING

8:00 am

522 Broadway

February 10, 2016

Present: J. Dalton
R. Goldsmith
T. Roohan
C. Wheeler

Absent: R. Higgins
S. Schneider

Also Present: M. Baker
L. Bachner
T. Garofano
D. Harper
R. Mc Mahon
N. Wagner

The meeting was called to order at 8:00 am by Chairman J. Dalton.

PUBLIC COMMENT PERIOD

No one spoke

CONSENT AGENDA

Minutes

J. Dalton requested a motion to approve the minutes from the January 13, 2016 Authority meeting which were previously distributed to the Board.

Motion to approve the minutes as presented, made by T. Roohan, and seconded by C. Wheeler; unanimously approved.

Financial Report

Motion to approve the January 2016 Financial and Investment Reports as presented made by C. Wheeler, and seconded by T. Roohan; unanimously approved.

Authorization to pay Jones Firm January 2016 Invoice

M. Baker requested the Authority's approval to pay the Jones Firm \$26,058.08 for work performed during the month of January 2016 for his representation before the Land Use boards and work on current litigation.

Motion to approve payment of the January invoice to the Jones Firm in the amount of \$26,058.08 made by R. Goldsmith and seconded by T. Roohan; unanimously approved.

M. Baker explained that the funds were appropriated earlier.

CHAIRMAN'S REPORT

Authority Parking Structure Update

T. Roohan said that M. Baker and J. Carminucci are working on the land lease. There are no land use board meetings and no other public meetings in the near future. T. Roohan is a member of the group studying the RFPs submitted for the mixed use of the High Rock Parking Lot and they are creating a matrix that compares each aspect and element of the proposals and the parking needs associated with the proposed uses of the lot. The group plans to be done at the end of February. The plan is to bring their final report to the City Council next month.

Land Lease Formulation

Special Meeting with Legal Counsel

M. Baker stated that he is working on the land lease with Jim Carminucci and once they have a final draft they want to discuss it with the Authority in an Executive Session. If the Authority subsequently consents, the land lease will be forwarded to Comm. Madigan.

Appointment of Nominating Committee for Authority Officers: Vice Chair & Secretary

J. Dalton appointed C. Wheeler and T. Roohan to the Nominating Committee. They will present nominations for Vice Chair and Secretary at the March 2016 Annual meeting.

Appointment of Finance/Audit Committee

M. Baker noted that members must be familiar with corporate financial and accounting practices. J. Dalton appointed R. Higgins as Chairman, S. Schneider and himself to the Finance/Audit Committee.

Mandates: "Public Authorities Accountability Act of 2005

Annual Disclosure Form

J. Dalton reported that all but one person has filled out and submitted the forms, and that person has been notified and the form is on its way. M. Baker said that the forms will be submitted to the County Attorney for filing as stipulated by the Public Authorities Law.

Saratoga Springs City Center Authority Ethics Board

J. Dalton announced the members of the SSCCA Ethics Board as R. Goldsmith, Chairman for a term to run from 1/1/2014 through 12/31/2017; C. Wheeler from 7/12/2013 through 2/15/2018 and T. Roohan from 2/13/2013 through 12/31/2016. The Staff Designate is M. Baker. M. Baker clarified that the terms listed are connected with serving on the ethics board because there is a specific time element within the mandate.

ABO-Mandated Website

M. Baker explained that the By-Laws, the Code of Ethics, agendas, meeting notices, all minutes, audit reports and annual reports and budgets are on the City Center Website at www.saratogacitycenter.org. He encouraged the Board members to go on the site and read.

Saratoga Springs City Center Authority Governance Committee

M. Baker explained the City Center Authority Board as a whole continues to serve as the Governance Committee. A copy of the Governance page from the City Center Website was distributed with the agenda materials.

Resolution to Empower President

Chief Executive Officer (CEO)

Authority Contracting Officer-disposition of property

M. Baker requested the Authority to approve the following resolutions as required by Article II, Section 2 of Authority By-laws. Additionally, he requested Authority action to name him "Chief Executive Officer" (CEO) and "Authority Contracting Officer, per the requirements of the Public Authorities Accountability Act of 2005.

Motion to I. Empower the City Center President to function on behalf of the Saratoga Springs City Center Authority in committing funds (up to \$10,000), negotiate agreements and taking necessary corrective action to deal with emergency situations; II. Further the

City Center President is empowered to negotiate contracts, sign agreements and act on behalf of the City Center Authority in the operation and management of the Saratoga Springs City Center. Additionally, the City Center President is designated as the “Chief Executive Officer” (CEO) and “Authority Contracting Officer” and III. Be it resolved that the City Center Authority President is the authorized decision maker, acting on behalf of the City Center Authority, in regards to City Center Capital Projects and Facility Upgrades, made by R. Goldsmith, and seconded by C. Wheeler; unanimously approved.

M. Baker stated that this motion puts the City Center in compliance with State and City procurement guidelines.

Establish Chief Financial Officer

M. Baker stated that a motion is required annually by the Public Authorities Accountability Act to establish a Chief Financial Officer.

Motion to establish Donna Barone as Chief Financial Officer made by T. Roohan and seconded by R. Goldsmith; unanimously approved.

City Center Records Management

Mission Statement

Resolution to Appoint Records Management Officer

M. Baker stated that in order to access New York State Archives resources to help with sorting records and compete for funds for records management and inventory projects, the Authority as the governing body must approve a mission statement and resolution to adopt Records Retention and Disposition Schedule MI-1 and appoint a Records Management Officer (RMO) in compliance with Article 57-A of the Arts & Cultural Affairs Law.

The **Mission** of the City Center Records Management Program is to manage annual records growth, streamline and enhance information access and retrieval and identify and preserve information pertinent to the history of the Saratoga Springs City Center. The **Primary Purpose** of any Records Management program is to ensure compliance with Section 57.25 of the Arts and Cultural Affairs Law and Part 185 Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York and to identify and preserve information and documents that are integral to the history of this community. M. Baker asked the Authority to adopt the following resolution:

Whereas, all local and miscellaneous governments in New York State are required to adopt a Records Management Program and appoint a Records Management Officer;

Whereas on April 3, 1989, the City Center Authority adopted Records Retention and Disposition Schedule MI-1 for use by all local officers in disposing of Records listed therein and resolved to dispose records in compliance with Section 25 Of Article 57-A;

Whereas Section 57.19 of Article 57-A, Arts & Cultural Affairs law requires That each local government shall have one officer who is designated as Records Management Officer to coordinate and oversee a Records Management Program Including the legal disposition and destruction of obsolete records;

Now, Therefore, Be it Resolved by the Saratoga Springs City Center Authority that the Chief Financial Officer of the City Center is appointed the official Records Management Officer for the Saratoga Springs City Center Authority.

Motion to adopt the City Center Records Management Mission Statement and Resolution as presented made by T., Roohan and seconded by R. Goldsmith; unanimously approved.

Announcement of Annual Meeting

J. Dalton announced that the Annual Meeting of the City Center Authority will be held on Wednesday, March 16, 2015.

PRESIDENT'S REPORT

2016 NYS Retirement Rate

M. Baker distributed with the agenda a copy of a letter he received from the City's Director of Finance announcing the 2016 retirement rate as 18.8% for members in Tier 3 and Tier 4, 15.5% for Tier 5 members and 10.5% for members in Tier 6. He explained that the percentage is the amount of the annual salary that the City Center contributes toward each employee's retirement benefit and it is based on the NYS Retirement System's return on investment. He stated that the rates are the same as last year and this is a point of information; the rates were anticipated so there is no impact on the 2016 City Center budget.

2015 Sales Comparison

M. Baker presented a chart comparing February booking numbers 2008-2017.

He pointed out that sales are moving forward nicely for 2016 and 2017; most of the tentative bookings will revert to definite. A booking is converted from tentative to definite when the signed contract and deposit are received.

	<u>Definite Bookings</u>	<u>Tentative Bookings</u>
Feb. 2008 (Actual)	148.75 Days	34.00 Days
Feb. 2009 (Actual)	144.50 Days	32.50 Days
Feb. 2010 (Actual)	125.50 Days	45.25 Days
Feb. 2011 (Actual)	115.50 Days	58.50 Days
Feb. 2012 (Actual)	183.74 Days	63.25 Days
Feb. 2013 (Actual)	193.75 Days	52.00 Days
Feb. 2014 (Actual)	197.00 Days	39.25 Days
Feb. 2015 (Actual)	200.00 Days	40.50 Days
Feb. 2016 (YTD)	186.50 Days	75.25 Days
Feb. 2017 (Projected)	50.50 Days	162.25 Days

2016 and 2017 Sales

M. Baker presented the 2016 and 2017 sales reports for review. He said that there are 261.75 days and 145 events booked for 2016. The sales team has made a big effort to lock in many multi-year events. He reported that last month there were 196 days booked for 2017 and that number has increased to 212.75. The 2017 bookings are being carefully watched because more options will be available since Schenectady Casino and Albany Convention Center are both opening in 2017. M. Baker said the 2016 and 2017 sales reports show a positive trend.

Building, Liability Insurance Renewal

M. Baker presented a premium summary chart comparing the 2015 costs for the package policies and total insurance costs of 2015 from Travelers, the proposed renewal rates for 2016 from Travelers and the 2016 premiums proposed by Cincinnati. M. Baker said he shopped for coverage and went to several businesses. Chubb, Selective and Liberty Mutual declined to quote and Philadelphia quoted \$63,763. Since Travelers has insured the City Center for many years, he attempted to negotiate with them but they would not reduce their total renewal costs of \$66,008.

He said Cincinnati (AA rated) proposed a total insurance cost of \$52,148 which included the addition of flood insurance which we did not previously carry. He said the only change is the deductible which is increased from \$2500 to \$5,000. He explained that most claims are slip and falls and given the rates, he recommends going forth with Cincinnati, He explained that the rate is the result of our claims history. Travelers go back 6 years when most other companies go back only 5 years. M. Baker noted that Cincinnati has agreed to a 3 year rate commitment for this policy. The premium can increase only if the exposures increase.

Motion to go with Cincinnati for the City Center 2016 - 2018 Property and Liability insurance policies for a total of \$52,148 made by R. Goldsmith and seconded by C. Wheeler; unanimously approved.

M. Baker stated that the parking structure is not included within this policy; that coverage will be a separate entity. He said this is a good savings; \$29,000 less than budgeted.

Expense Approval: Sales & Marketing

M. Baker presented for Board review and approval of the quarterly sales and marketing expenses for audit and record keeping purposes. He said the point is to obtain authorization for these expenses if we choose to attend the events.

Motion to accept and approve the Sales and Marketing Expenses as presented made by R. Goldsmith and seconded by C. Wheeler; unanimously approved.

Approval of Engineering firm for Washroom Rehabilitation

M. Baker presented a proposal from Phillips Associates for RFP, Bidding and Construction Services (including one job meeting and 3 site visits) totaling \$6400 for the Washroom Rehabilitation project. The proposal also listed an additional \$100 for printing arrangements if desired and hourly rates of possible additional services and fees for any additional site visits and job meetings if necessary. M. Baker stated that Phillips Associates will work with the Building Inspector to ensure code compliance regarding handicapped accessibility. This proposal has been reviewed by the City's Purchasing agent and is in compliance with the City's purchasing policy.

Motion to approve the proposal of Phillips Associates for RFP, Bidding and Construction Services for the Washroom Rehabilitation Project as presented made by T. Roohan and seconded by C. Wheeler; unanimously approved.

OTHER BUSINESS

T. Garofano announced that the annual meeting of the Convention and Tourism Bureau will be held at the City Center on March 16. The event honors event planners and marketing entities that have brought their business to Saratoga Springs.

M. Baker stated that the process of the land lease will continue; the Commissioner of Finance intends to proceed with the lease. Other Council members are waiting for the report from the RFP review committee which is expected by the end of February; then the City Council should have a clear picture of the proposals. M. Baker explained that once the lease is approved, we will go back to the Design Review Commission for final approvals which may be a two-meeting process. Once that is in place, we still need a building permit and the Article 78 needs to be resolved. The Courts could provide relief for an extension, however. The City is expected to file a motion of dismissal of the Article 78 but that might be appealed. There are a number of tedious things that may throw a wedge into the process at any time. He noted that there is also a challenge being made regarding control over the Maple Ave parking lot and the City Attorney and Jim Carminucci both agree that

the City Center does have control based on the original agreement with Urban Renewal. R Goldsmith asked if the RFP Committee intends to require City Center Parking. T. Roohan responded that the City Center parking needs are not driving the committee but they are being fair and taking it under consideration.

ADJOURNMENT

Motion to adjourn came at 8:58 am by T. Roohan and seconded by R. Goldsmith; unanimously approved.

J. Dalton adjourned the meeting at 8:58 am.

The next Authority meeting will be held at the City Center on Wednesday, March 16, 2016 at 8am. T. Roohan offered to take the authority members on a tour of the renovated Algonquin Building after that meeting.

Saratoga Springs City Center
Authority Meeting
Wednesday, March 16, 2016
8:00am
City Center

- I. Meeting Called to Order** – Authority Members sign-in
A. Welcome to the City Center Authority Annual Meeting
- II. Public Comment Period**
Individuals are welcome to address the City Center Authority. Please state your name and address. Statements and comments should be kept to a maximum of two (2) minutes. This is not a debate or dialogue. Authority Members will not respond nor answer questions. Respectfulness and civility are requested.
- III. Consent Agenda**
A. Approval of Minutes: February 10, 2016 Authority Meeting
B. February Financial and Investment Report
- IV. Chairman's Report**
A. **2015 Annual Report- M. Baker**

B. Report of the Nominating Committee and Vote – T. Roohan, C. Wheeler
1. Vice Chair
2. Secretary

C. State Authority Budget Office, Annual Update
1. Internal Controls

D. Parking Structure Land Lease – T. Roohan, M. Baker
1. March 15th, City Council Public Hearing
2. April 5th, Public Hearing and Vote

E. Article 78 Law Suit up-date – M. Baker

F. Approval of Jones Firm Legal Fees, Parking January 2016
- V. President's Report**
A. 2016 and 2017 Sales

B. Staffing Up-date

C. Greenbelt Trail Update – T. Roohan
1. Connector Study
- VI. Other Business**
A. Albany Convention Center Update
B. Rush Casino Schenectady, Saratoga Racino Hotel
- VII. Adjournment:** Next Authority Meeting: Wednesday, April 13, 8am, City Center

Saratoga Springs City Center
AUTHORITY MEETING

8:00 am

522 Broadway
March 16, 2016

Present: J. Dalton S. Schneider
R. Goldsmith C. Wheeler
R. Higgins
T. Roohan

Absent: no one

Also Present: M. Baker R. McMahon
T. Garofano N. Wagner
A. Gardner

The meeting was called to order at 8:00 am by Chairman J. Dalton.

PUBLIC COMMENT PERIOD

No one spoke

CONSENT AGENDA

Minutes

J. Dalton requested a motion to approve the minutes from the February 10, 2016 Authority meeting which were previously distributed to the Board.

Motion to approve the 2/10/2016 minutes as presented, made by T. Roohan, and seconded by R. Goldsmith; unanimously approved.

February Financial and Investment Report

J. Dalton requested a motion to approve the February 2016 Financial and Investment Reports as presented. He noted that these reports were also previously distributed to the Board. M. Baker pointed out that this past February, 2016, there were 25.75 paid days which is the greatest number of paid days in February in the history of the City Center.

Motion to approve the February 2016 Financial and Investment Reports as presented made by R. Higgins, and seconded by C. Wheeler; unanimously approved.

CHAIRMAN'S REPORT

2015 Annual Report

M. Baker distributed the 2015 annual report to the Authority. He pointed out the letter from the Chairman of the City Center Authority, Joe Dalton, stating that the year's statistics are included. He stated that the City Center is most certainly a benefit to our community. This year there were 155,000 people in the building attending 75 conferences/conventions, 48 special events/banquets and 31 gate/trade shows- a total of 154 events and a total of 252 event days, a positive year. M. Baker stated that on page 3 of the annual report, the entire history of events and use is listed; he noted the growth factor evident from 2012 forward, stating that 2012 was the first full year that the expansion was complete and this first full year of build-out is the year used to extrapolate the numbers to estimate the revenue of the parking facility. M. Baker said that on page 21 is the 2015 operating statement that compares 2013, 2014 and 2015. In 2015, revenue grew 9.8% and expenses increased 1.5%; only a small percentage of occupancy tax was used, the year ended with a surplus of \$40,150.12. The City Center operates expenses to budget as any public benefit agency does. M. Baker said that the Sales Department continues to prepare for increased

competition from new properties coming online in Saratoga Springs such as the Saratoga Casino and Raceway Hotel and the future opening of the Albany Convention Center and Schenectady's River Casino and Resort by securing multiple year contracts with many of our new and long-term clients. He said that on page 5 and page 6 of the Annual report, there is a list of clients and future events that were confirmed in 2015; most are main conference and convention businesses.

Report of the Nominating Committee and Vote

T. Roohan reported that he and C. Wheeler, as the nominating committee, reported that R. Higgins and R. Goldsmith have accepted the nomination as Vice Chairman and Secretary respectively. J. Dalton closed the nomination process for a vote.

Motion to elect R. Higgins as Vice Chairman and R. Goldsmith as Secretary of the Authority made by T. Roohan and seconded by C. Wheeler, unanimously approved.

State Authority Budget Office, Annual Update

Internal controls

M. Baker presented a number of required statements regarding the management of the Saratoga Springs City Center internal controls, mission statement, performance goals, procurement, property policies and asset recognition. He stated that the internal controls are the same as those presented last year. He said that the City Center Authority and the City of Saratoga Springs have documented and assessed the internal control structure and procedures of the Saratoga Springs City Center Authority for the year ending December 31, 2015 and finds the controls to be adequate. M. Baker said the City Center Authority must use the same or similar purchasing procedures and follow the policies and guidelines set by the City of Saratoga Springs and the Department of Finance and work with them regarding procurement and budgeting. He said that the Authority also reports to the NYS Authority budget office in addition to being audited by NYS whenever the City is audited.

Motion to certify that the management of the Saratoga Springs City Center Authority and the City of Saratoga springs has documented and assessed the internal control structure and procedures of the Saratoga Springs City Center Authority for the year ending December 31, 2015 and this assessment has found the Authority's internal controls to be adequate, and to the extent that deficiencies were identified, the Authority has developed corrective action plans to reduce any corresponding risk made by S. Schneider and seconded by C. Wheeler; unanimously approved.

Parking Structure RFP Update

March 15th City Council Public Hearing

T. Roohan reported that the best thing about the night was that different people spoke which has a larger impact than the same faces appearing every time and saying the same thing. M. Baker thanked the Bureau and T. Garofano for being there and he thanked the Authority members for being there. He said that the financial presentation that followed public comment gave him the opportunity to delineate numbers that were different than the Carl Walker report; he presented numbers to assess variables to realities because the Carl Walker report did not capture evening parking or special event parking. M. Baker distributed to the authority a Parking Revenue Analysis based on 2012, the first year that the expansion was complete. He said that the break-even amount is \$725,000- so creating a 5-year Performa taking a revenue stream and opting it at 2% per year with operation and management, there is \$36,000 for capital above and beyond normal operating. Discussion ensued about feedback from the City Council regarding the presentation. He explained that the numbers are different from 2014 - if the City Center had \$725,000 per year in revenue, 50% over that amount is shared with the City; by comparison the Woodlawn lots are costing the City money. The City Center is a public benefit organization.

April 5th, Public Hearing and Vote

M. Baker stated that the final public hearing will be held at the April 5 City Council meeting (6:30) and the City Council is expected to vote on the Land Lease agreement at that meeting.

Article 78 Law Suit Up-date

M. Baker referred to a letter from the Jones Firm that was distributed with the agenda materials and provided a brief update on the status of the pending litigation. Essentially everyone is waiting for a decision by the Judge on the motion to dismiss or an order from the Court directing counsel to appear for oral argument.

Approval of Jones Firm Legal Fees, Parking January 2016

M. Baker said The Jones firm has submitted an invoice for legal services conducted in January and February on the Article 78 litigation, Mouzon v. City of Saratoga Springs and City Center Authority as well as Land Use issues.

Motion to approve the payment of \$25,071.00 to The Jones Firm for legal services rendered made by T. Roohan and seconded by R. Goldsmith; unanimously approved.

PRESIDENT'S REPORT

2016 and 2017 Sales

M. Baker presented the 2016 and 2017 sales reports for review. He said that there are 149 events scheduled for 2016; last year at this time there were 146 events. The sales team is doing very well grabbing new business and being aggressive. So far for 2017 there are 93 events and 213.75 days, the sales team is trying to lock in business for the long term

Staffing Up-date

J. Dalton requested that the staffing up-date be made in a brief executive session after this morning's meeting. M. Baker agreed.

Greenbelt Trail/Connector Study Update

T. Roohan stated that this has come back to the surface because National Grid is fixing the Red Springs Area. The goal is to connect the Greenbelt Trail to the Spring Run Trail because it makes sense to come out past the mill; the trail committee likes what is proposed to be included in the front of the City Center parking structure. He said there are several areas that have to be cleaned up, including around the sewer district; the dirt will be vacuumed up and National Grid and the contractors are open to the changes being discussed. T. Roohan said he is invited to the Greenbelt Trail meetings and will continue to attend; the project is expected to happen in 2017. He said that the Greenbelt Trail committee is pleased with the Authority's support.

M. Baker pointed out that the area involved that has to be cleaned out is Warren Street, Excelsior Avenue and High Rock.

OTHER BUSINESS

Albany Convention Center Update

M. Baker reported that the goal is to finish the Albany Convention Center in 2017, but they seem to be behind.

Rush Casino Schenectady; Saratoga Racino Hotel

M. Baker stated that the Rush Casino has the steel in place so they are on time. The Saratoga Racino Hotel is expected to be complete in July 2016. T. Garofano said it will be finished before July 2016, but they plan to delay the opening until July 2016.

Fair Game

J. Dalton asked about the Fair Game group. M. Baker explained that the Fair Game committee negotiated contracts with Rush and four other Casino venues and a percentage of each of their revenues goes to Fair Game and they split to each member based on a formula of location, etc. Once the revenue begins to stream, dues will be reimbursed and past expenses refunded.

EXECUTIVE SESSION

Motion to adjourn to Executive Session to discuss staffing updates made by C. Wheeler and seconded by S. Schneider; unanimously approved.

Authority Members adjourned to Executive Session at 8:37 a.m.

Motion at 9:40 a.m. to return to regular Authority Meeting by R. Goldsmith, seconded by R. Higgins; unanimously approved.

There were no actions or votes taken during the Executive Session to report.

ADJOURNMENT

Motion to adjourn came at 9:43 a.m. by C. Wheeler and seconded by Shelby Schneider; unanimously approved.

J. Dalton adjourned the meeting at 9:44 a.m.

The next Authority meeting will be held at the City Center on Wednesday, May 11, 2016 at 8 a.m.

Saratoga Springs City Center
Authority Meeting
Wednesday, April 13, 2016
8:00am
City Center

- I. Meeting Called to Order – Authority Members sign-in

- II. Public Comment Period
Individuals are welcome to address the City Center Authority. Please state your name and address. Statements and comments should be kept to a maximum of two (2) minutes. This is not a debate or dialogue. Authority Members will not respond nor answer questions. Respectfulness and civility are requested.

- III. Consent Agenda
 - A. Approval of Minutes: March 16, 2016 Authority Meeting

 - B. March 2016 Financial Statement
 - 1. Investment Report
 - 2. ROT Deposit for period of 12/1/'15- 2/28/'16- \$145,672; down \$5462.10
 - a. 2015-\$151,634.10 from the period last year
 - b. 2014-\$128,805
 - c. 2013- \$124,311
 - d. 2012-\$120,300
 - e. 2011-\$89,000
 - f. 2010-\$96,073

- IV. Chairman's Report
 - A. Motion: Issue of Credit, Cash to Authority Members
 - B. Authority Board Self Evaluation – Please complete and return no later than 4/29/16
 - C. Parking Structure Up-date - Roohan, M. Baker
 - 1. April 5, City Council Meeting
 - 2. DRC, May 4, 2016
 - D. Assembly Bill, A4788; Web Cast of Board Meeting
 - E. Approval of Bette, Cring/Envision – Design Fees; 9/2015 to 1/2016

- V. President's Report
 - A. 2016 and 2017 Sales
 - B. 2016 First Quarter Event Report
 - C. D & O Insurance Renewal
 - D. CCA Annual Report to be presented to City Council; date tbd
 - E. Credit Card usage and rate
 - F. Fairgame enrollment; 2016
 - G. On-going Building Items
 - 1. Washroom Rehab

- VI. Adjournment: Next Authority Meeting: Wednesday, May 11, 2016 at 8 am

M. Baker stated that the total investment balance stands at \$6,010,676.79.

Motion to approve the March 2016 Financial Statement as presented made by R. Goldsmith, seconded by S. Schneider; unanimously approved.

ROT Deposit

M. Baker announced the ROT Deposit for the period of 12/1/2015 through 2/28/2016 is \$145,672, down \$5,462.10 from this period last year. For the last six years, the deposits were as follows:

2015 -	\$151,634.10	2012 -	\$120,300
2014 -	\$128,805	2011 -	\$ 89,000
2013 -	\$124,311	2010 -	\$ 96,073

M. Baker explained that there has been a drop in the extended stay market but the conference/convention market is up. The loss of extended stay clientele impacted the Occupancy tax receivables December through March 31.

CHAIRMAN'S REPORT

Motion: Issue of Credit, Cash to Authority Members

As required annually by Public Authority law, J. Dalton requested a motion to enact a policy regarding issuing credit or cash to board members or staff. M. Baker advised that it is required by State law to officially enact this policy annually that states that we do not extend credit to any Authority member or staff.

“Notwithstanding any provision of any general, special or local law, municipal charter or ordinance to the contrary, no board of a state or local authority shall, directly or indirectly including through any subsidiary, extend or maintain credit, arrange for the extension of credit, or renew an extension of credit, in the form of a personal loan to or for any officer, board member or employee (or equivalent thereof) of the authority.”

Motion to enact the policy regarding issuing credit or cash to Authority members or staff as presented made by S. Schneider, seconded by R. Goldsmith; unanimously approved.

Authority Self Evaluation-Please Complete & Return

J. Dalton advised the authority that the self-evaluation forms distributed with their meeting materials must be completed and returned to him no later than April 29, 2016. Members have the option to sign the forms or submit them unsigned. M. Baker explained that confidential evaluations of Board performance are a requirement of the State and shows the authority budget office that members have responded and evaluated themselves as required, which shows oversight.

Parking Structure Update

April 5 City Council meeting

M. Baker reported that the City Council voted 3 to 2 on the lease agreement. They also voted 4 to 1 to add an agenda item and subsequently they voted 4 to 1 to reject the responses to the RFP to develop the High Rock Parking lot. M. Baker said the entire process has been a successful team effort with the support and determination of a lot of people including the Authority Legal Team, Design Team, and the business community; DBA.

Design Review Commission meeting, May 4, 2016

M. Baker said they will return to the Design Review Commission on May 4, 2016 and when we have DRC approvals, it will take a while to get the final Engineer drawings, and then we will apply for a building permit which we can obtain despite the status of the Article 78. He advised the Authority that financing may not be possible for the project until the Article 78 is settled.

M. Baker said he is working with Jim Carminucci and the City's Department of Finance to get the financial pieces together. He distributed the Parking Structures five-year performance stating that Carl Walker did not catch all seasons in their data. He stated he did use Carl Walker's staffing and operations expense numbers. The changes also reflect an increase in revenue projections +2% per year; total revenues of \$564,700 against expense of \$356,365 leaves an operating net of \$213k per year. Using the debt service estimate of a 25 year note for \$6.5m, leaves an annual operating deficit of (\$143,301.) With an Authority pledge of 50% ROT for operations, 50% ROT for capital, we have the resources to handle liability up to \$500k with \$1.5m for unexpected expenses. He noted that all anticipated major facility issues such as the roof and electrical improvements have been addressed. The City Center Authority can cover indebtedness without impacting the City's debt limit. The Authority agreed to reconvene the Parking Structure Sub- committee for the DRC phases and subsequent phases of the project. They also agreed to maintain communications with all neighbors throughout the process.

Assembly Bill A4788; Web Cast of Board Meeting

M. Baker said that Assembly Bill Number A4788 has passed in the Assembly. It is an act to amend the public authority law in regards to requiring open meetings and the Web Cast of open meetings of each state authority and local authority. The bill requires all state and local authorities to webcast, record, archive and provide to the public internet access to their meetings. M. Baker said the Senate passed this bill but it was vetoed by the Governor and it was never brought back to the table. Issue is dead, unless reintroduced..

Approval of Bette Cring/Envision- Design Fees 9/2015 to 1/2016

M. Baker said an invoice has been received from Bette Cring for subcontractor Envision Architect in the amount of \$88,586.85 for completed architectural and engineering services to date.

Motion to approve payment of the Bette Cring invoice for Envision Architect in the amount of \$88,586.85 made by T. Roohan and seconded by C. Wheeler; unanimously approved.

M. Baker stated that for the time being, there should not be any more huge bills from The Jones Firm or Bette Cring.

PRESIDENT'S REPORT

2016 and 2017 Sales

M. Baker presented the 2016 and 2017 sales reports for review. He said that 2016 had been aggressively sold with 255 days booked for 154 events, and numbers are looking strong for 2017 with 244 days booked for 97 events and he is positive that the number of events will increase. M. Baker reminded the Authority that 2017 is the year that the Capital Center in Albany and the River Casino in Schenectady are expected to open.

2016 First Quarter Event report

M. Baker presented the Quarterly Event report comparing the first quarters of 2015 and 2016. He stated that the number of day guests in 2016 exceeded the number of day guests in 2015 by 4,850. The total number of events were the same for both years, the number of conventions/conferences is down slightly in 2016, partly because of timing. Some that were held in March last year are being held in April this year. Building use was also down slightly but overall it was a good first quarter.

D & O Insurance Renewal

M. Baker presented Directors and Officers insurance premium proposal which includes a change to the Public Officials form. He advised the Authority that in the past they always carried one million dollars in liability which was most recently the Chubb Policy. Although Chubb is currently defending and paying for the current Article 78 claim against the City Center, they will not renew and have

suggested that we obtain coverage under the Public Officials form. Of the other companies that were sent a request for proposal, Travelers and Kinsale declined to bid. Darwin has proposed a premium of \$3,456 per month with \$1m coverage and a \$5,000 deductible. He noted that the change excludes coverage for Article 78 proceedings going forward but they do cover Employee Practice Liability and defense of claim. M. Baker asked D. Harper for his opinion since he had not previously discussed this with him. D. Harper said the more coverage the better. The Authority agreed that the coverage should be ramped up to \$2m aggregate.

Motion to accept option 2, the proposal of Allied World (Darwin), for Directors and Officers Insurance renewal as presented for \$2m coverage at a cost of \$4,737 for one year beginning 4/13/2016 through 4/13/2017 made by R. Goldsmith and seconded by S. Schneider; unanimously approved.

City Center Authority Annual Report to be presented to the City Council date tbd

M. Baker will confirm with the Mayor when the 2015 annual report presentation will be on the agenda of the City Council meeting.

Credit Card usage and rate

M. Baker stated that credit card usage continues to rise and he presented a chart of the use of credit cards at the City Center and the usage in March 2016 has doubled since March 2015. He stated that the ability to receive credit cards is extremely important. For the month of March, the gross amount received by credit card was \$25,427.18 with total fees of \$841.19, the deposit amount for March is \$24,585.99. More groups are using a credit card and it is convenient for weddings and on-site purchase of additional time/services. He said that only one person handles credit card payments at the City Center and all papers are destroyed once the fees are received and deposited. A. Gardner noted that clients appreciate the ability to use a credit card, particularly for last minute bookings and expenses. Credit Card payments have been a definite advantage for the City Center.

Fairgame enrollment; 2016

M. Baker said that he is a member of the Board and the organization has an MOU with all licensed gaming casinos in the state. The venues have to remit a percentage of their take to the Fair Game Coalition and the FGC distributes the funds to members depending on size, etc. M. Baker said that eventually we will get our membership fees reimbursed. Some of the coalition members are SPAC, Proctors, Troy Music Hall and the Palace theatre.

On-going Building Items

Washroom Rehab

M. Baker said that the process is running a little behind schedule; the final draft of the RFP is finished and will be sent out soon; the goal is for the work to be done in July.

OTHER BUSINESS

J. Dalton reminded the authority members to fill out and submit their evaluation forms.

ADJOURNMENT

Motion to adjourn came at 8:46 am by T. Roohan, and seconded by C. Wheeler ; unanimously approved.

J. Dalton adjourned the meeting at 8:46 am.

The next Authority meeting will be held at the City Center on Wednesday, May 11, 2016 at 8am.

Saratoga Springs City Center
Authority Meeting
Wednesday, May 11, 2016
8:00am
City Center

- I. Meeting Called to Order – Authority Members sign-in
 - A. Introduction of Building Supervisors

- II. Public Comment Period - Individuals are welcome to address the City Center Authority. Please state your name and address. Statements and comments should be kept to a maximum of two (2) minutes. This is not a debate or dialogue. Authority Members will not respond nor answer questions. Respectfulness and civility are requested. Individuals will be called on in the order of sign in.

- III. Consent Agenda
 - A. Approval of Minutes: April 13, 2016 Authority Meeting
 - B. Approval of Minutes: April 21, 2016 Special Authority Meeting
 - C. April Financial Statement

- IV. Chairman's Report
 - A. Welcome Authority Member, Dan Pickett

 - B. Authority Members Self Evaluation- M. Baker

 - C. Parking Structure Update – T. Roohan, M. Baker
 - 1. Execution of City Council approved Land Lease - update
 - 2. DRC, May 4th – update
 - 3. DRC, June 1, 2016

 - D. Status of Pending Litigation
 - 1. Chubb Insurance rebate on litigation

 - E. Approval of Land Use Boards Legal Fees, Parking October 2015

- V. President's Report
 - A. 2016 and 2017 Sales

 - B. Award of Bid: Washroom Rehab; original building

 - C. National Holstein Convention June 27-July 1

 - D. On-going Building Items
 - 1. A/V contract; CMI

- VI. Other Business
 - A. Annual Report to City Council TBD

- VII. Adjournment: Next Authority Meeting: Wednesday, June 8, 2016 8am.

Saratoga Springs City Center

AUTHORITY MEETING

2:00 pm

522 Broadway

May 17, 2016

Present: J. Dalton D. Pickett
R. Goldsmith C. Wheeler

Absent: T. Roohan R. Higgins
S. Schneider

Also Present: M. Baker R. McMahon
T. Garofano L. Bachner
N. Wagner J. Ogden

The meeting was called to order at 2:00 pm by Chairman J. Dalton.

PUBLIC COMMENT PERIOD

No one spoke.

INTRODUCTIONS

M. Baker introduced the City Center Building Supervisors as the "Team" that makes the building run, opening, closing, setting up and tearing down. He introduced Greg Gorton as the newest member of the team, just completing his third month. He said that Greg is new to the area from the Orange County Parks Department with additional experience from the Hyatt Hotels and in building maintenance at a Bio Ref. lab. Michael Furman has experience with the Saratogian and print media and has helped host Taste of Home Cooking shows. Shelby King has been here 7 years and has been promoted within from part time to full time to Building Supervisor specializing in scheduling which brings all the pieces together because often the building is run almost 24/7 and coverage must be ensured. Norman Current is the Senior Building Supervisor and has been with the City Center 28 years and he has institutional knowledge that brings great customer relations with the client base which is particularly important, because 70% of the client base is repeat business. He thanked the Building Supervisors for their hard work and dedication.

M Baker said that today at the City Center is SEMI, here for their sixth year and a product of SEDC, as well as Driscoll Foods who are in the building for the first time.

CONSENT AGENDA

Minutes

J. Dalton requested a motion to approve the minutes from the April 13, 2016 Authority meeting which were previously distributed to the Board.

Motion to approve the minutes from the April 13 Authority meeting as presented, made by R. Goldsmith, and seconded by C. Wheeler; unanimously approved.

J. Dalton requested a motion to approve the minutes from the April 21, 2016 Special Authority Meeting which were previously distributed to the Board.

Motion to approve the minutes from the April 21 special Authority meeting as presented, made by R. Goldsmith, and seconded by C. Wheeler; unanimously approved.

Financial Statement

M. Baker stated that the April 2016 financial statement was distributed in advance. He said that we are in good shape. He noted that catering is at 19.6% of the amount budgeted because at the end of April \$2,723.62 in catering fees were owed due in part to the fact that the Hilton is in transition with new ownership. They are catching up and now, in the middle of May catering revenue is closer to 33% of the amount budgeted. He stated that there has not yet been a need to transfer money from the Room Occupancy Tax line into the operating budget which is a real good indication of the financial status of the City Center.

Motion to accept the April 2016 Financial Statement as presented made by R. Goldsmith, seconded by C. Wheeler; unanimously approved.

CHAIRMAN'S REPORT

Welcome Authority Member, Dan Pickett

M. Baker introduced the newest Authority member, Dan Pickett. D. Pickett said he grew up in Mechanicville, went to RPI, and since 1990 is CEO of an information technology company, Nfrastructure, in Clifton Park that employs 300 people. He moved into Saratoga Springs four years ago and now owns a residence on North Broadway which is almost ready to move in. He recently purchased the former site of Lillian's on Broadway and is working on modernizing that property. He has completed an orientation about the Authority and is looking forward to working with this group.

Authority Members Self Evaluation

M. Baker stated that each year the Authority is required to evaluate themselves and this year all of the evaluation forms were submitted in a timely fashion and 5 out of 7 gave exceptional ratings and two individuals indicated that they often want more information prior to voting on an issue. M. Baker advised the Authority that if any member is not comfortable with the amount of information presented or would like more discussion before voting, it is a member's right and charge to express that so the motion can be tabled or the vote deferred.

Parking Structure Update

Execution of City Council approved Land Lease
DRC, May 4th Update

M. Baker stated that he is pleased with the reaction of the Design Review Commission to the parking structure project. There are three items outstanding regarding architectural review. He said one concern is the appearance of the south elevation, especially the entryway. Their concern with the north elevation is that it is too open and looked more like a parking ramp. The third concern of the DRC is the details of the connector.

DRC, June 1, 2016

M. Baker explained that he is working with Envision Architects to address each area. They have lightened up the north face so that it is similar to the south side. They removed some of the precast and bridge/connector structure for a sleeker appearance. M. Baker advised the Authority the primary concern of the DRC on June 1 is architectural review and a positive response is anticipated. C. Wheeler is glad that the entrance for exhibitors has been spruced up because it is their front door and one of the first things they see coming into the venue. R. Goldsmith is concerned that except for pillars, there is no clean break and it makes the building look too long. J. Dalton stated that it was suggested to plant trees along entry roads and in the landscape.

Status of Pending Litigation

Chubb Insurance Rebate on litigation

M. Baker advised that there could be substantial monetary rebates received because of the Article 78 litigation. Although we did not renew with Chubb, the lawsuit occurred prior to changing our insurance vendor, Chubb has promised to follow through with the rebates.

Approval of Land Use Boards Legal Fees, Parking October 2015

M. Baker said that for some reason, fees for the period of October 16 through October 31, 2015 were not included on other bills that have been paid. We now have an outstanding bill for legal services from October 16 through October 31, 2015 in the amount of \$30,778.91. Services include some preparation and attendance at Land Use Board meetings, research and some Article 78 litigation.

Motion to approve payment of legal fees to the Jones firm in the amount of \$30,778.91 for legal services made by R. Goldsmith, seconded by C. Wheeler; unanimously approved.

M. Baker advised the board that the Jones Firm is not attending the DRC meetings; M. Baker is attending with Envision Architects. He explained that Envision Architects are sub-contracted by Bette-Cring.

M. Baker notified the Authority that we are defending a claim from the Mouzon House with other individuals on 7 points, one being that the City did not change the zoning ordinance correctly regarding solar panels. Since it is now before Judge Nolan to grant a motion to dismiss the original claim of the Mouzon House, they have put forth a motion to amend their existing action claiming that the zoning ordinance was not correctly amended (ordinance vs local law), it is an equivalency issue. They are maintaining that the correct protocols were not met. Judge Nolan can accept or decline the amendment or he can accept it and rule on its merits. In an additional lawsuit, the claim is that the City Council did not have the right to approve the land lease, which is not true because the City of Saratoga Springs has its own charter. M. Baker stated the most likely any result would be appealed from one side or another. The City Attorney, the City's Land Use Board Attorney M. Schachner, and The Jones Firm will each review the second claim which is very tedious. M. Baker noted that this would not effect when construction is started but is more apt to effect financial arrangements. He stated that the project is moving forward, but not as fast as intended which impacts the business community and guests who come into this City.

PRESIDENT'S REPORT

2016 and 2017 Sales

M. Baker presented the 2016 and 2017 sales reports for review. He said there are 163 events and 267 days booked for 2016. For 2017, there are 104 events and 244 days. He stated that the new Director of Sales has a strong background in corporate sales which he anticipates will help draw bookings in addition to working closely with the Tourism Bureau, all of which is important because there are new competitors coming. If the City/City Center is not competitive, there will be many other places for our clients to go by 2017 and this hurts the City and the City Center Authority. M. Baker said the City Center will commit to special public events only one year out and place more emphasis on conventions and corporate conferences which fill guest rooms. Sales are projected out to 2020; we do not want dark days.

T. Garofano stated that the Bureau has been focusing on 2017 and they were behind but now they are about 4000 rooms ahead. He said there is a new CTB sales person whose focus is on national and regional sales business. He explained that we are competing with "free" and more amenities from the new venues. He emphasized the importance of a partnership between the City Center and the Hilton; and said they are working with the Hampton, Marriot, the Pavilion Grand and Saratoga Arms to form a partnership with the City Center. He noted that the Pavilion Grand and the Saratoga Arms do not have a lot of meeting space. M. Baker said that the Bureau is working hard to get conference/convention business to focus on the City Center; once we get them here, they like it.

J. Dalton asked about the average local room rate. T. Garofano replied that the rates in March were down 1.5% but year to date, the average is \$161.13, up 2.5%. One concern he has is short term rentals (ABNB); last week there were 149 rental opportunities in the City. Two night stays are down. He said that Embassy Suites and other hotels are opening in Clifton Park and at Exit 8; competition is all around us. The corporate transient market is suffering.

M. Baker emphasized that no City Center space is given away for free with the exception when the City Center hosts the State of the City address; the business of the City Center is to rent space. He explained that the City Center often works in concert with various groups but space is never given away free; the Bureau functions as our packager and we try to work closely with local organizations as financially painlessly as possible.

Award of Bid: Washroom Rehab, original building

M. Baker stated that they have solicited bids for the renovation and rehab of the original washrooms and five responses were received for the prevailing wage project. Phillips Associates orchestrated this project and we are looking for a motion to award the bid to MLB Construction Services, LLC.

Motion to award the bid for Washroom Rehab of the original building of the City Center to MLB Construction Services, LLC of Ballston Spa, NY in the amount of \$106,690 made by D. Pickett , seconded by R. Goldsmith; unanimously approved.

C. Wheeler commented that the fact that the bids were all close in range is indicative that the drawings and specifications were really good.

National Holstein Convention June 27-July 1

M. Baker announced that the National Holstein Convention will be at the City Center from June 27 through July 1 and is being chaired by King's Farm and is drawing people from across the Nation and some from other countries. This is essentially a thoroughbred cow sales event and there will be sales of stock in the City Center after which the room will be turned into a banquet hall. The event includes programs on scientific methods of breeding and milking. M. Baker said that the City Center will be working with the Bureau throughout the event. J. Dalton noted that local restaurants and downtown businesses will love this.

On-going Building Items

A/V Contract; CMI

M. Baker said that he is negotiating a contract for Audio/Visual services with CMI which will be similar to the contract that the new ownership of the Hilton has with CMI. Any clients that use the A/V services would pay a percentage to the building. The equipment provided by CMI is theirs; the contract would be a three-year commitment, with a two-year renewal option. CMI would be a large resource of inventory for us to access; if a client needs something, CMI can quickly fulfill the requests. They are out of Rochester but they have employees in Saratoga and Albany.

M. Baker explained the status of the Parking Structure project stating that architectural and design services have cost \$463k to date and going forward there will be an additional \$344-\$360k in design fees. Other costs such as pre-cast engineering, and survey work were doubled what we expected. He has requested a detailed sheet from Bette-Cring and has signed an authorization to move forward with a design development. He explained that there will be electronics, software parking management, and way-finding which will be helpful to connect with other parking structures in the City. We will also be getting into other pieces of the construction aspect of the project including a shuttling system. There will be neighborhood meetings prior to and during construction; we are continuing to monitor and design these pieces.

OTHER BUSINESS

Annual Report to City Council TBD

M. Baker reported that a date or time to present the annual report to the City Council has not yet been arranged. He will keep the Authority posted.

M. Baker reminded the Authority members that if they cannot attend a meeting, to let him know as early as possible.

ADJOURNMENT

Motion to adjourn came at 2:50 pm by D. Pickett, seconded by R. Goldsmith; unanimously approved.

The next Authority meeting will be held at the City Center on Wednesday, June 8, 2016 at 8am.

Saratoga Springs City Center
Authority Meeting
Wednesday, June 8, 2016
8:00am
City Center

- I. Meeting Called to Order – Authority Members sign-in
 - A. Introduction: Mik Mahdavi, GM Saratoga Hilton

- II. Public Comment Period

Individuals are welcome to address the City Center Authority. Please state your name and address. Statements and comments should be kept to a maximum of two (2) minutes. This is not a debate or dialogue. Authority Members will not respond nor answer questions. Respectfulness and civility are requested. Individuals will be called on in the order of sign in.

- III. Consent Agenda
 - A. Approval of Minutes: May 17, 2016 Authority Meeting
 - B. May 2016 Financial Statement

- IV. Chairman's Report
 - A. City Center Authority Parking Structure Update – T. Roohan, M. Baker
 - 1. DRC – June 1, 2016 Approval
 - 2. Architectural and Engineering

 - B. Litigation Up-date; Article 78

 - C. Fair Labor Standards Act; FLSA
 - 1. Overtime Exemption Rules

 - D. Authority Meeting Schedule: July 13
August 10 (is this necessary)
September 14

- V. President's Report
 - A. 2016 and 2017 Sales
 - 1. Multiple events being hosted simultaneously

 - B. Parking Structure Next Steps
 - 1. Building Permit
 - 2. Financing

 - C. Electric rate lock-in; 24 months

 - D. Expense Approval – Sales & Marketing

- VI. Other Business

- VII. Adjournment: Next Authority Meeting: Wednesday, July 13, 2016 8 am

Saratoga Springs City Center

AUTHORITY MEETING

8:00 am
522 Broadway
June 8, 2016

Present: J. Dalton T. Roohan
R. Goldsmith S. Schneider
D. Pickett C. Wheeler

Absent: R. Higgins

Also Present: M. Baker R. McMahon
T. Garofano N. Wagner
D. Harper

The meeting was called to order at 8:00 am by Chairman J. Dalton.

PUBLIC COMMENT PERIOD

No one spoke.

CONSENT AGENDA

Minutes

J. Dalton requested a motion to approve the minutes from the May 17, 2016 Authority meeting which were previously distributed to the Board.

Motion to approve the minutes as presented, made by R. Goldsmith, and seconded by D. Pickett approved 4-0-2. T. Roohan and S. Schneider abstained because they were not at the 5/17/2016 meeting.

Financial Statement

J. Dalton stated that the May 2016 financial statement was distributed in advance.

Investment Report

It was noted that the total investments balance as of May 31, 2016 is \$5,977,485.61.

J. Dalton requested a motion to approve the May 2016 Financial report.

Motion to approve the May 2016 Financial Statement as presented made by T. Roohan and seconded by D. Pickett; unanimously approved.

CHAIRMAN'S REPORT

City Center Authority Parking Structure Update

DRC-June 1, 2016 Approval

J. Dalton stated that the Design Review Commission approved the architecture and design of the parking structure project 4-0. He thanked everyone for attending all of the meetings through the entire process, particularly R. Goldsmith who never missed a meeting. M. Baker thanked everyone for their part in the meeting. He said the two-page motion depicted the history of the process, which began in 2014. He explained that the final Engineering now needs to be done and the construction budget needs to be re-worked. For example creating the facade on the North side per DRC requirements will cost extra.

Architectural and Engineering

C. Wheeler recommended that the elevator be designed for carts, not just for passengers. He wants to be more involved and monitor the completion and installation of the elevator. He said elements of the process should be carefully supervised. For example, we must ensure that the trim packages can be easily repaired and replaced. M. Baker stated that he welcomes C. Wheeler's expertise. He noted that the Engineering at this point is basic, involving pre-cast. They will occasionally come in with updates. M. Baker said that we will be sure that the renderings presented are the ones we want

to use. He explained that obtaining the building permit is the next step in the process. T. Roohan recommended that the Parking Structure Committee should meet with the Engineers in a few weeks. M. Baker explained that the architectural design will take about two months and there may be a six week lead time on the pre-cast; nothing will be done until September. The boring tests have been done. He said that we must ensure that all designs and details that were approved are included.

Litigation Update- Article 78

M. Baker advised that litigation parallels construction. Billing continues to be submitted to our insurance company. On April 5, 2016 a motion to dismiss was filed by the City and the City Center; the motion was to dismiss 7 causes of action and then after the motion was filed, the opposition came back with an eighth cause of action against the City Council claiming that the City Council did not proceed correctly when they changed the solar part of the ordinance. No response to the first Article 78 is expected before 7/15/2016. The City Attorney, the Planning Board Attorney and our Attorney each agree that the claims have no merit; there is no cause for action. M. Baker clarified that an Article 78 does not preclude us from going forward with the project; however lending agencies often balk when there is pending litigation. The lawsuit should not impede the building permit but we should proceed carefully as we continue with the development.

T. Roohan suggested that each person that came to the many meetings in support of the project, should be thanked. M. Baker agreed and will craft a letter for J. Dalton to sign.

Fair-Labor Standards Act; FLSA

Overtime Exemption rules

M. Baker advised that as of December 1, 2016, the threshold salary for overtime exemption will be \$47,476 per year and the new rule also increases the total annual compensation requirement needed to exempt highly compensated employees to \$134,004 per year. He explained that no one is sure what this means and the City is investigating. Essentially, the change is that lower level employees that were previously considered salaried employees are now hourly up to \$913 per week. M. Baker pointed out that there is also pressure involved with the \$15 per hour minimum wage, so both changes could impact the 2017 City Center budget. He said it is difficult to get someone to work for less than \$15 per hour and show up regularly. The changes could result in everyone clocking in. He said that often salaried employees are audited to be sure they are working their hours. M. Baker clarified that the threshold amounts provided do not include the cost of any benefits. He advised that the Authority must be conscious of what Rates the city pays. Retirement is dictated by the State and the rate is binding. Healthcare costs are flexible; the City Center employees contribute 10%. The changes and rates are things to consider as we prepare the 2017 budget. T. Roohan commented that Health Savings Accounts are very labor intensive and take too much time administering.

Authority Meeting Schedule

Chairman J. Dalton announced that the next three meetings of the City Center Authority are scheduled for July 13, August 10 and September 14. He asked the Authority members whether they felt that the August 10 meeting was necessary. T. Roohan suggested that August 10 could be just a building meeting and the Authority members agreed.

PRESIDENT'S REPORT

2016 and 2017 Sales

M. Baker presented the 2016 and 2017 sales reports for review. He said that we continue to work well into the year with 263.75 days and 164 events booked. This month 26 days and 17 events are booked. For 2017 there are 247.5 days and 106 events booked. This is a challenging year because a lot of competing venues are opening their doors in 2017. So far, activity is strong. He explained that summer is the weakest time and we are working with the Tourism Bureau to improve the summer numbers.

Multiple events being hosted simultaneously

M. Baker announced that there are 57 days with multiple events scheduled on the same day, 8 of which have 3 events occurring simultaneously. This is not without its challenges but staff handles it. Conferences and trade shows can be easily held simultaneously. He said that some events are not listed because they are so tentative such as boxing; it is challenging to get events into the City Center in August.

Parking Structure Next Steps

Building Permit

Previously discussed

Financing

Previously discussed

Electric rate lock-in- 24 months

M. Baker explained that the City Center will lock in the rate of \$0.06048 (\$/kWh) for 24 months for electricity. The sheet shows the current status and the savings in projected to be \$21,500 per year. We also lock in a rate for gas. Energy alliance has picked up the program. He noted the options included; and noted that the City Center uses the same option as the City which gives us more clout.

Expense Approval – Sales & Marketing

M. Baker stated that the IAVM annual conference is scheduled for July 23-26, 2016 in Minneapolis, MN. He requested a motion to approve the registration, lodging, flight and miscellaneous expenses for M. Baker and R. McMahon to attend the conference.

Motion to approve the expense account for sales & marketing as presented, made by T. Roohan and seconded by C. Wheeler; unanimously approved.

OTHER BUSINESS

R. McMahon stated that effective 9/1/2016 boxing promoters are required to provide \$1m per head injury and no one in New York is willing to write that as yet.

ADJOURNMENT

Motion to adjourn came at 8:40 am by C. Wheeler, seconded by S. Schneider; unanimously approved.

The next Authority meeting will be held at the City Center on Wednesday, July 13, 2016 at 8am.

Saratoga Springs City Center
Authority Meeting
Wednesday, July 13, 2016
8:00am
City Center

- I. Meeting Called to Order – Authority Members sign-in
 - A. Welcome guests and introductions

- II. Public Comment Period

Individuals are welcome to address the City Center Authority. Please state your name and address. Statements and comments should be kept to a maximum of two (2) minutes. This is not a debate or dialogue. Authority Members will not respond nor answer questions. Respectfulness and civility are requested. Individuals will be called on in the order of sign in.

- III. Consent Agenda
 - A. Approval of Minutes: June 17, 2015 Authority Meeting

- IV. Chairman's Report
 - A. Room Tax Account
 - 1. March – May 2016 collection July 15th 2016, \$243,083; down \$19,242 from the same period last year
 - 2015: \$262,325
 - 2014: \$213,239
 - 2013: \$194,133
 - 2012: \$184,600

 - B. 2017 Budget
 - 1. Finance Committee to review draft in August
 - 2. September 14 Authority vote. Submit to City Department of Finance on September 16, 2016

 - C. Article #78 Litigation – Update
 - 1. Chubb Insurance Reimbursement

 - D. Parking Structure Update- T. Roohan, Ted Malin
 - 1. Project Engineering
 - 2. Construction Schedule

 - E. Letter to Supporters of Parking Structure

 - F. Accept donation of art from Charles and Alice Evans

 - G. Sculpture installation and dedication

- V. President's Report
 - A. June 2016 Financial Statement
 - 1. Approve payment of Jones Firm Invoice; \$15,092.99, 4/26/16 to 5/31/16
 - 2. Motion to Amend Construction Budget
 - 3. Approve Payment to Bette Cring; \$24,765.02

 - B. 2016 and 2017 Sales

 - C. 2016, half year comparisons

 - D. Long-term Sales and Bookings for new City-wide Conventions and Conferences

 - E. Restroom Rehab Project up-date

 - F. City Center “Fam Tour”, co-host

 - G. City Center, co-host of Burlington Chamber visit

- VI. Executive Session Meeting with City Center Attorney on Personnel and Contract Matters
- VII. Adjournment: Next Authority Meeting: September 14, 2016, 8 am

HAVE A GREAT SARATOGA SUMMER

Saratoga Springs City Center

AUTHORITY MEETING

8:00 am

522 Broadway

July 13, 2016

Present: J. Dalton T. Roohan
R. Goldsmith S. Schneider
R. Higgins C. Wheeler

Absent: D. Pickett

Also Present: M. Baker Mayor Yepsen
T. Garofano C. Evans
D. Harper T. Malin (Envision Architects)
R. McMahon

The meeting was called to order at 8:02 am by Chairman J. Dalton.

PUBLIC COMMENT PERIOD

No one spoke.

CONSENT AGENDA

Minutes

J. Dalton requested a motion to approve the minutes from the June 8, 2016 Authority meeting which were previously distributed to the Board.

Motion to approve the 6/8/16 minutes as presented, made by C. Wheeler, and seconded by T. Roohan; unanimously approved.

CHAIRMAN'S REPORT

Room Tax Account

March-May 2016 collection 7/15/16, \$243,083	
2015: \$262,325	2014: \$213,239
2013: \$194,133	2012: \$184,600

It was noted that the March-May 2016 ROT collection is due July 15, 2016 and amounts to \$243,083. J. Dalton said the amount is down \$19,242 from the same period last year. T. Garofano said that the reduction could be due to several factors including major layoffs in the Global Foundries Company because their construction project recently wrapped up, the opening of the Double Tree Hotel which has drawn GE from our City back to Schenectady, and another major concern is Air B&B competition and users are increasing in this market. He said that there are 189 rentals scheduled in Saratoga Springs on opening day at the average rate of \$170 per night. He equated this to having an additional hotel in the City but the owners are not paying taxes and not playing by the rules. He said the City Attorney is working on an ordinance to gain control over this situation and hopefully deter people from using this program. .

2017 Budget

Finance Committee to review the draft in August

The Authority will vote on the 2017 City Center budget in September at their next meeting. J. Dalton encouraged members to sit in on the 2017 budget process

September 14 Authority Vote – Submit to Finance September 16, 2016

M. Baker advised the Authority that the budget is due for submission to the City Department of Finance on September 16, 2016.

Article #78 Litigation - Update

J. Dalton referred to a letter from the Chubb Group stating that \$87,785 has been approved for reimbursement with a \$1,000 deductible; \$86,780.00. This will be challenged because there is a \$35k difference- payment is determined by the value of the Attorney's rate. He said we will be reimbursed for a vast majority of litigation costs. M. Baker reported that the City Attorney and the City's land use board attorney anticipate hearing a response on all three claims in the very near future; Judge Nolan has been working through this and may be ready to render a decision.

Parking Structure Update

Project Engineering

J. Dalton announced that there is no scheduled Authority meeting in August but there will be a Parking Structure Committee meeting instead. Ted Malin of Envision Architects said the DRC process was a reasonable critique and he distributed a report and a photo rendering of what the structure should look like at the end of the project. He explained that most parking garages are now done by a pre-caster and they have their own Engineer for that. Envision is working with Dailey Precast on the design and constructability. There has been three design team meetings between the architects, the structural engineer and the pre-caster working together to determine the floor to floor heights and clearances while keeping the building at the required height and designing the slopes, clearances, walls, posts, internal ramps, character of spaces, and locations of entrances and exits into one package. It is all very technical and the meetings ensure that 90% of what will be seen is finalized. The other 10% is the ornamentation. The connector will become the main entrance and Envision is currently working on the design of the new entrance lobby at the City Center. They have completed field investigations at the City Center and dimensions have been taken of the existing entrance at the corner of Maple Avenue and Ellsworth Jones Place. It will be a more highly detailed version than depicted at the DRC meetings to bring the renderings to reality.

Construction Schedule

T. Malin explained that the design of the foundation system is well underway; some coordination between the structural engineer and the pre-caster needs to take place and then the foundation design will nearly be completed. A separate foundation permit needs to be obtained. They must negotiate the foundation permit with the City so they are ready to proceed with the site work and at the same time Bette & Cring will be bidding that work and prepare to get started. The design development will continue and the foundation permit should be set around mid-September. When there is a heavy structure it is supported with pile driving to complete the foundation, which takes 2 to 3 months. The Architectural Engineer will complete their construction documents which should be ready by the end of October. Construction should get underway mid to late fall. Dailey will put the pre-cast structure in and then the lobby gets constructed.

M. Baker advised that the Authority sub-committee needs to set up some meetings to stay on top of this process so that change orders will not be necessary. T. Malin said that meetings with the Building Inspector have taken place in order to get set on the code requirements. Vehicle movements, Civil engineering components were already done to acquire Planning Board approval. M. Baker stated that the camera and security functions must be hammered down. T. Malin said he will be staying with the project. M. Baker said T. Owens of Bette & Cring is lead on finalizing and tracking the numbers and it is necessary to stay current with the project cost especially since the façade has been changed.

Letters to Supporters of Parking Structure

J. Dalton said that many of the people that received thank you letters for supporting the Parking Structure project were surprised by and impressed with the letters .

Accept donation of art from Charles and Alice Evans

M. Baker introduced Charles Evans, former (retired) operations manager of the City Center for 28 years. Charles and Alice Evans donated to the City Center two original Lucy Kettlewell paintings of

the back side of Congress Hall. He noted that because the value of the paintings is in excess of \$4k, they must be officially accepted by the Authority.

Motion to accept the donation of two Lucy Kettlewell original paintings from Charles and Alice Evans made by C. Wheeler, and seconded by T. Roohan, unanimously approved.

T. Roohan thanked C. Evans for the paintings stating that they are not easy to find. C. Evans said he benefitted from his position here and wanted to give something back. They are unusual because they present the opposite view of the Congress Hall than we are used to seeing in pictures and paintings. M. Baker said there are photos of Charlie and Alice Evans presenting the paintings to the City Center and will be forwarded to the media.

Sculpture installation and dedication

J. Dalton announced that the sculpture donated by William Dake of Stewarts Corp. is being installed today. M. Baker said this is a fulfillment that was years in the making and he hope everyone will be there today.

PRESIDENT'S REPORT

June 2016 Financial Statement

M. Baker reported that at the halfway point, revenue is where it should be at 51% and expenses are in line with the budget at 47.3%. He stated that none of the accounts receivable are in jeopardy. This is the best June in the last four years with 30.25 paid days. Compared to June 2015, the number of lodged guests increased, catering revenue nearly doubled and gross revenue increased substantially. M. Baker noted that salaries also increased, primarily because there were two Directors of Sales on the payroll. However, Andrea Gardner retired July 1 and now Susan Baker is our Director of Sales.

Investment Report

M. Baker reported that the Room Occupancy Account Balance is \$5,984,648.14. Currently the remaining construction balance is \$50,968.39.

Motion to approve the June 2016 Financial Statement as presented made by T. Roohan, seconded by R. Goldsmith; unanimously approved.

Approve Payment of Jones firm Invoice

M. Baker requested a motion to approve payment of the Jones Firm invoice in the amount of \$15,092.99 for litigation. This invoice has not been submitted to Chubb.

Motion to approve payment to the Jones firm of the 6/16/16 invoice in the amount of \$15,092.99 made by R. Higgins, seconded by S. Schneider; unanimously approved.

Motion to amend Construction Budget

M. Baker requested a motion to approve the amendment of the construction budget, specifically designating \$359,301.00 of the Occupancy Tax Account to the Parking/Capital Project line.

Motion to amend the construction budget as presented made by T. Roohan, seconded by S. Schneider; unanimously approved.

Approve Payment to Bette Cring

M. Baker requested a motion to pay an invoice from Bette & Cring covering pre-construction activities by Envision Architects and Bette & Cring.

Motion to approve payment in the amount of \$24,765.02 to Bette & Cring made by R. Goldsmith, seconded by S. Schneider; unanimously approved.

M. Baker said that the net result of today's actions including the addition of the check from the Chubb Group brings the grand total of the Investment Account down to \$5,697,040. He advised that the LA Group line has been closed out and any remaining encumbrance will go back into the fund.

2016 and 2017 Sales

M. Baker presented the 2016 and 2017 sales reports for review. He reported that 2016 and 2017 sales are very positive. Since our last meeting, the number of days and events in 2016 increased from 263 days and 164 events to 269 days and 168 events. We continue to grab events; we will exceed budget projections for 2016. He reported that the total days and events in 2017 have increased from 247.5 days and 106 events to 257.75 days and 114 events. A great amount of these are still tentative because we leave them in that classification until their deposit and signed contract are received.

2016, half year comparisons

M. Baker stated that the numbers for the first half of 2016 are strong and show an increase in the number of convention and day guests by 13.67% over 2015, and an 11.96% increase in the number of events as well as an increase over 2015 in the number of paid event days and total number of building use days. He pointed out that the number of first time events increased in the first half of 2016 over the first half of 2015 by 5 and the number of return events increased by 6. He said these are robust numbers, however, July and August remain very slow. He is hoping for more new initiatives such as the Potato Chip fundraiser. He advised that when the next quarter is incorporated it will reflect that business in August is slow which is why that time is used to catch up on projects and paint and refresh the facility.

Long-term Sales and Marketing for new city-wide Conventions and Conferences

M. Baker presented a snapshot as of 6/30/2016 of clients booked into the future and the particular years confirmed. Several are booked as far out as 2020. These groups confer with other groups and many even travel together which helps spread the word about their positive experiences with the City Center. He stated that the City Center staff works very hard with the Tourism Bureau to continue to recruit business, particularly conferences and conventions. T. Garofano said he has added sales personnel to focus on the meetings.

Restroom Rehab Project up-date

M. Baker reported that the rehab of the original restrooms will start around the end of July or the beginning of August. They are in dire need of renovations and we look forward to the improvements.

City Center "Fam Tour", cohost

M. Baker said that the City Center is a co-host of the Annual Familiarization ("Fam") Tour which is a special event designed to introduce meeting professionals from around the nation to the venues of the City of Saratoga Springs. T. Garofano said that the date has been changed this year because it was typically held on three days beginning with the Sunday after Travers Day, however this year it will be held starting the first Sunday after opening day of the race track. Consequently, the event has drawn more interest this year with good business potential. The City Center hosts the first breakfast of the tour. The tour takes attendees to venues throughout the City.

City Center, co-host of Burlington Chamber visit

M. Baker said that the City Center is co-hosting a visit by the Burlington Chamber of Commerce who will be here for 1.5 days in August to visit local venues and explore the idea of having a conference/convention center in Burlington.

T. Roohan complimented the Holstein Convention stating that attendees that he spoke with were very positive about their experience here; they enjoyed being here. M. Baker said that the most expensive Holstein sold was owned by a local farm. R. Goldsmith said the downtown merchants were very pleased and several picked up large special orders. T. Garofano credited the local organizers Jeff and Becky King, stating that they will be recognized as home town ambassadors.

EXECUTIVE SESSION

Meeting with City Center Attorney on Personnel and Contract Matters

Motion to adjourn to Executive Session came at 8:53 am by R. Goldsmith seconded by T. Roohan; unanimously approved.

Motion to return to the regular Authority Meeting at 9:16 am; motion by S. Schneider, second by R. Goldsmith; unanimously approved.

J. Dalton shared there was discussion in the Executive Session regarding post-employment health care benefits for Mark E. Baker.

A motion to approve the attached City Center Authority Resolution, by R. Higgins, seconded by T. Roohan. No discussion, unanimously approved.

Resolution was signed by J. Dalton.

Motion to adjourn the City Center Authority meeting at 9:23 am by C. Wheeler, second by R. Goldsmith. Unanimously approved.

ADJOURNMENT

The next Authority meeting will be held at the City Center on Wednesday, September 14, 2016 at 8am.

Saratoga Springs City Center
Authority Meeting
Wednesday, September 14, 2016
8:00am

- I. Meeting Called to Order – Authority Members sign-in
 - A. Welcome and introductions

- II. Public Comment Period

Individuals are welcome to address the City Center Authority. Please state your name and address. Statements and comments should be kept to a maximum of two (2) minutes. This is not a debate or dialogue. Authority Members will not respond nor answer questions. Respectfulness and civility are requested. Individuals will be called on in the order of sign in.

- III. Consent Agenda
 - A. Approval of Minutes: July 13, 2016 Authority Meeting

- IV. Chairman's Report
 - A. 2017 Authority Budget; review and vote

 - B. Bette and Cring Invoice
 - 1. Design and Pre-Construction - \$97,843.71 – Envision, W.E. Dailey, Bette & Cring

 - C. Parking Structure Update – T. Roohan, J. Dalton, M. Baker
 - 1. Design Development Update
 - 2. Construction Budget Update

 - D. ABO: Conflict of Interest

 - E. Litigation Reimbursement – Chubb Insurance
 - 1. \$19,482.50

 - F. Future Meetings:
 - October 12; November 9; December 14 – Breakfast Meeting

- V. President's Report
 - A. Financial Report
 - 1. August 2016 Financial Statement
 - 2. Investment Report

 - B. 2016 and 2017 Sales

 - C. Employee Health Insurance - review and approve

 - D. 2016 Summer “Fam Tour” Re-cap - T. Garofano

 - E. Award RFQ; Escalator Cleaning
 - 1. The Escalator Cleaning Co., \$2,000.

 - F. Restroom Renovation Up-date

 - G. FOIL – IUPAT District Council 9

- VI. Other Business
 - A. Executive Session, meeting with legal counsel; litigation
 - B. Executive Session – Personnel Issue

Adjournment: Next Authority Meeting: Wednesday, October 12, 2016 8 am

Saratoga Springs City Center

AUTHORITY MEETING

8:00 am

522 Broadway

September 14, 2016

Present: J. Dalton S. Schneider
R. Goldsmith C. Wheeler
T. Roohan

Absent: R. Higgins
D. Pickett

Also Present: M. Baker R. McMahon
T. Garofano S. Baker
D. Harper

The meeting was called to order at 7:57 am by Chairman J. Dalton.

PUBLIC COMMENT PERIOD

No one spoke.

CONSENT AGENDA

Minutes

J. Dalton requested a motion to approve the minutes from the July 13, 2016 Authority meeting which were previously distributed to the Board.

Motion to approve the 7/13/16 minutes as presented, made by R. Goldsmith, and seconded by C. Wheeler; unanimously approved.

CHAIRMAN'S REPORT

2017 Authority Budget review and vote

J. Dalton stated that the 2017 City Center Authority budget is included with the authority agenda packet. It has been reviewed by the Chairman and several others.

Susan Baker reported that she and her staff, with support and marketing assistance from the Convention and Tourism Bureau, have been working to fill in August 2017 and they have booked a ten day art fair that includes galleries from all over the country; the Equestricon and they are currently trying to find appropriate dates for AYCO. All these events are lodged.

M. Baker said that July 2017 is also starting to fill in; the Funeral directors are coming back and S. Baker and the sales staff continue to grab and lock in events as far ahead as 2021; they have been working hard with the Bureau to book as far beyond the next year as possible.

There were no further comments or questions regarding the 2017 proposed budget.

Motion to approve the 2017 City Center Authority Budget as presented made by T. Roohan and seconded by S. Schneider; unanimously approved.

Bette and Cring Invoice

Design Development Update

J. Dalton requested approval to pay Invoice #3 from Bette & Cring in the amount of \$97,843.71.

M. Baker noted that the amount includes payments to Envision Architects, and WE Dailey also. WE Dailey is the pre-cast contractor and the payment is for engineering services relating to the pre-cast structure. They are about 90% done with their Engineering work. He advised the Authority that this

payment is coming from funds already allocated by the authority and it was noted that the total remaining to be billed for pre-construction activities is \$217,166.46.

Motion to authorize payment of pre-construction invoice #3 in the amount of \$97,843.71 to Bette & Cring made by T. Roohan and seconded by C. Wheeler; unanimously approved.

Parking Structure Update

Design Development Update

T. Roohan said the Parking Structure Committee met in August. M. Baker reported that Envision has come back with a design that is slightly modified for the south façade. R. Higgins and the Parking Committee reviewed it and finds that the modified façade on the west side of the connector is more palatable. M. Baker has discussed the change with Steve Rowland, Chairman of the Design Review Commission and if after close review, he and Brad Birge feel that the modification is significantly dramatic, it will have to go back to the DRC for formal one item review/approval. However, if they both agree that the changes are not major; they will sign off on the change as an Administrative Decision. M. Baker presented a rendering of what has been previously approved and the proposed modification. He said the glass is the same but in the proposed version has the mullions are on the interior. T. Roohan said that the change is very minor; most of the world would not realize the alteration was done. He noted the proposed modification is a much improved design. M. Baker said he will meet with S. Rowland this afternoon; he is hoping that they will agree to an administrative review.

Construction Budget Update

M. Baker said he is working with Bette & Cring to update their construction budget. It has gone from \$9.5m up to \$11.9m; he has asked them to present the difference. He distributed information to the Authority for their review and noted that the amount the Authority borrows depends on the Room Occupancy Tax contribution; savings. M. Baker said this is the most current information at this particular point in time. T. Roohan commented that the product continues to improve; everything seems to be improving; the agora is going to be a tremendous asset on High Rock Avenue and this will be a fabulous project despite the fact that he is concerned with the price. T. Roohan said the entry area is light, open, welcoming and safe.

ABO: Conflict of Interest

J. Dalton advised the authority that the Authority Budget Office (ABO) recommends that public authorities adopt a conflict of interest policy statement annually.

Motion to adopt a Conflict of Interest Policy for the Authority Board members and staff made by T. Roohan, seconded by C. Wheeler; unanimously approved.

Litigation Reimbursement – Chubb Insurance

M. Baker said that another check was received from Chubb Insurance for \$19,482.50 which is in addition to the \$86,000 received already. We will continue to submit claims. T. Roohan said that Chubb is a fabulous company. M. Baker advised the Authority that there will be an Executive session with legal counsel regarding the status of the current litigation following this meeting

Future Meetings

J. Dalton announced that the next three Authority meetings will be held on October 12, November 9 and December 14 which will be a breakfast meeting. M. Baker commented that December 14 is flexible; he asked Authority members to check their schedules and let him know whether the 14th works for them.

PRESIDENT'S REPORT

Financial Report

August 2016 Financial Statement

M. Baker reported that rentals are at 70.2% of the amount budgeted for 2016 and total income so far this year is at 62.9% of the budget. He said that September and the fall is heavy so we will catch up and maintain. Any remaining budgeted ROT money will be brought over judiciously if necessary. He noted that so far this year revenue is at 62.9% and expenses are at 62.4% and most of the expenses are driven by our salary sector; advertising costs are up because we had to advertise to fill positions. He advised that utilities expense is spot on and going into 2017, because we are locked into our rates, we may realize approximately a \$23,000 reduction. M. Baker stated that in the accounts receivable, there is nothing of note and nothing is in jeopardy. He noted that miscellaneous revenue now includes our upcharge for audio/visual. He informed the Authority that the list of checks over \$500 is for their review and contains nothing extraordinary.

M. Baker referred to the Monthly comparisons of business for the months of August 2013 through 2016, stating that before the renovation, revenue in the month of August was in the \$40k range but the events and galas of those years are no longer held. It is still the weakest month. He stated the business for December of 2016 and next January and February 2017 are looking great.

Investment Report

M. Baker reported that the Occupancy Tax Account balance is \$5,960,847.63. He said if we are flat we will be on par with 2015. The next ROT payment comes in October. The report for August comes in next Monday. T. Garofano stated that in August room occupancy percentage was up ½% mostly due to the opening of the Saratoga Casino and Raceway Hotel.

Motion to approve the August 2016 Financial Statement as presented made by R. Goldsmith, seconded by S. Schneider; unanimously approved.

2016 and 2017 Sales

M. Baker presented the 2016 and 2017 sales reports for review. He reported that sales are very positive. The staff is pulling together a good fall. There are 260 days and 167 events scheduled in 2016 and for 2017 so far, 278 days and 121 events, up from the 257.75 days and 114 events reported for 2017 at the meeting in July. M. Baker explained that events are only considered to be definite when we have received the money and signed contract. He complimented the Bureau and his sales staff for their hard work. They continue to grab interesting, exciting events such as the Equestricon which will draw a great crowd.

Employee Health Insurance- review and approve

M. Baker stated that he has been getting a variety of rates; the impact of Affordable Care Act is starting to kick in and it is challenging. He said that CDPHP is the current carrier but the Blues and MVP are coming in at more competitive rates. He explained that the new plan will start December 1 so there is still time to shop some plans. He will probably bring something forward for discussion and review at the October meeting.

2016 Summer Fam Tour Re-cap

T. Garofano reported that the change in the dates of the FAM Tour to Sunday through Tuesday after the opening day of the race track was successful. Sixteen planners came with 7 other guests and 23 leads have been generated with 12 of them booked so far; \$2.1m in business which is an excellent return on the investment. There are 11 outstanding leads that his staff is following up and all of this is new business. M. Baker said that the City Center hosts the breakfast on the first day of the tour and there is lots of "courting". S. Baker commented that several of the planners indicated that they are looking for locations that are walkable, secure and comfortable and they seem to be shying away from metropolitan areas and they want to go places where there is no record of the Zika virus.

T. Garofano said that the Hilton has traditionally hosted an opening day reception but they did not do it this year and the Bureau is interested in hosting it next year. The focus would be on local planners in the capital region. M. Baker said these are joint customers and the City Center would like to be part of this. R. Goldsmith asked about having a FAM tour during the off season to showcase downtown and venues in a non-summer season. T. Garofano said that businesses downtown

operate throughout the year and many planners are checking out Saratoga Springs with the intention of bringing events here in months other than August. He reported that he is working with the Director of Sales, S. Baker, on developing a FAM for destination weddings beginning on January 28 which works with a large wedding show scheduled at the Gideon Putnam. The tour will begin at the City Center with a kick-off event for brides, grooms and wedding planners where they will be set up to experience local venues and then return to the City Center for a reception. The tour would culminate with the wedding show at the Gideon. This is an off-season effort to try to expand the wedding market locally. S. Baker said the goal is for Saratoga Springs to be thought of as a destination in the same way as Newport or the Cape.

Award RFQ: Escalator Cleaning

The Escalator cleaning Company- \$2,000

R. McMahon explained that three quotes were received; one for \$2250, one for \$2,500 and the Escalator cleaning company was the lowest bidder at \$2,000 including the cleaning of the top and bottom comb plates. They have good references and they steam the escalator clean during off hours to avoid interfering with scheduled events. He said it is not an annual requirement but escalators should be cleaned occasionally.

Motion to award the bid for escalator cleaning to The Escalator Cleaning Company of Brooklyn, NY in the amount of \$2,000 made by T. Roohan, seconded by R. Goldsmith; unanimously approved.

Restroom Renovation Up-date

R. McMahon reported that the rehab of the original back restrooms is almost done except that some of the tile was held at the Mexican border so about 21 linear feet of the floor is not finished. MLB is installing and painting boards the color of the tile so that the rest rooms can be functional. M. Baker said they look wonderful.

FOIL – IUPAT District Council 9

M. Baker advised the Authority that they have received a freedom of information law (FOIL) request from the carpenter trades regarding Wicks law and prevailing wage for work done by Allerdice. We will respond to it in a timely manner. He said a FOIL has also been received from the Times Union regarding travel, cell phone records, clothing expenses of the President of the Authority and he has engaged legal counsel to determine how he should respond. He said the reporter is casting a wide net to many authorities requesting non-specific information.

OTHER BUSINESS

Executive Session: Meeting with Legal Counsel: litigation

Executive Session: Personnel Issue

EXECUTIVE SESSION

Motion to adjourn to Executive Session came at 8:42 am by S. Schneider, seconded by C. Wheeler; unanimously approved.

Motion to adjourn back to the regular City Center Authority Meeting at 9:35am by C. Wheeler, seconded R. Goldsmith; unanimously approved.

There was no official action or vote taken during the Executive Session with Legal Counsel regarding outstanding litigation with the City Center Parking Structure.

There was no official action or vote taken during the Executive Session with City Center Attorney regarding a personnel issue.

Motion to adjourn at 9:38am by S. Schneider, seconded by C. Wheeler; unanimously approved.

ADJOURNMENT

The next Authority meeting will be held at the City Center on Wednesday, October 12, 2016 at 8am.

SARATOGA SPRINGS CITY CENTER
AUTHORITY MEETING

Wednesday, October 12, 2016

8:00 am

522 Broadway

- I. MEETING CALLED TO ORDER – Authority Members sign-in
- II. APPROVAL OF MINUTES, September 14th Authority Meeting
- III. Public Comment Period
Individuals are welcome to address the City Center Authority. Please state your name and address. Statements and comments should be kept to a maximum of two (2) minutes. This is not a debate or dialogue. Authority Members will not respond nor answer questions. Respectfulness and civility are requested. Individuals will be called on in the order of sign in.
- IV. Presentation, Comments
A. NY Senator Kathy Marchione
- V. CHAIRMAN'S REPORT
A. Parking Structure update- M. Baker, R. Goldsmith
1. Oct 5th DRC Meeting

B. Approval of Construction Project invoices:
1. Jones Firm. June-Sept. \$11,110.71, Litigation. June-Sept. \$3,152.50, Development.
2. Bette & Cring – Envision. \$101,633.75 through August 2016

C. Ethics Committee Report for November- R. Goldsmith, Chair
1. Committee members: C. Wheeler, T. Roohan

D. Presidents Annual Review- Forms Attached- Return to J. Dalton by November 4th
- VI. PRESIDENT'S REPORT
A. FINANCIAL REPORT
B. September 2016 Report
1. Investment Report
2. Construction Project Year-to-Date Expenses

3. ROT Tax Deposit
Oct 15th Payment for period of June through August 2016; \$577,268
This is a \$24,113.00 or 4.3% increase over the 2015 collection.
- | June to August ROT | |
|--------------------|-----------|
| 2015 | \$553,155 |
| 2014 | \$518,232 |
| 2013 | \$461,000 |
| 2012 | \$442,821 |
| 2011 | \$406,515 |
| 2010 | \$393,472 |
- C. 2016 and 2017 Sales Up-date
1. 3rd Quarter Event Report
2. September 2016 Status Report
- D. Renewal of Employee Health Insurance Program 12/1
1. A.C.A. Compliant

VII. OTHER BUSINESS

A. Ongoing Building Projects Update

1. Restroom renovation

VIII. ADJOURNMENT- Next Meeting November 9th

Saratoga Springs City Center

AUTHORITY MEETING

8:00 am

522 Broadway

October 12, 2016

Present: J. Dalton S. Schneider
R. Goldsmith C. Wheeler
T. Roohan R. Higgins

Absent: D. Pickett

Also Present: M. Baker R. McMahon
T. Garofano D. Harper
M. Kelly N. Wagner

Guest: New York Senator Kathy Marchione

The meeting was called to order at 8:00 am by Chairman J. Dalton.

APPROVAL OF MINUTES

Minutes

J. Dalton requested a motion to approve the minutes from the September 14, 2016 Authority meeting which were previously distributed to the Board.

Motion to approve the September minutes as presented, made by T. Roohan, and seconded by R. Goldsmith; unanimously approved.

PUBLIC COMMENT PERIOD

Chairman Dalton reminded the audience that individuals are welcome to address the City Center Authority; they must state their name and address and keep statements and comments to a maximum of two minutes. This is not a debate or dialogue and Authority members will not respond nor answer questions. Respectfulness and civility are requested. Individuals will speak in the order they signed in.

David Green, Glenville, NY said he recently retired from General Electric and prior to that he was in law enforcement. He is disappointed that the August Gun show was the last one at this venue and he is surprised because most shows are urged to return. He said the gun show was held at the City Center 32 years and always conducted per all state laws and ordinances. It had a positive economic impact on the City of Saratoga Springs because it attracted between 2000 and 3000 attendees per show and most spend money on meals in the City. He said that State and National officials have visited the gun show and recognized it as very well run. He is upset that the City denies people their second amendment rights. He noted that the show takes place within twenty-five miles of an historic battle field which was pivotal to our success as a nation. The show belongs here. He urged the Authority members to please keep the show at the City Center.

David Petronis, Mechanicville, NY said he has been the promoter of the Gun Show at the City Center for 32 years. He opened it at the same time that the City Center opened and there have never been any problems. He cannot understand why the show is not able to continue. He stated that the Attorney General has called his gun show a model for New York State. He knows trade shows are secondary to conventions but other trade shows will be held here and his show has seniority. He has held his show four to five times per year and he can't understand why he is nudged out while newcomers take his place. He said that businesses in Saratoga Springs will lose money because the gun show is not here. He thanked the Authority for their consideration and implored them to consider continuing to host the show.

PRESENTATION - COMMENTS

New York Senator Kathy Marchione

The Authority welcomed Senator Marchione. She presented a petition of 2432 signatures requesting that the gun show remain at the City Center in Saratoga Springs. She said that she attended the Gun Show here in August and almost 1000 people signed the petition at that time. Most of the other signatures were received online. Senator Marchione noted that in August people attending the gun show came from all over the area and many stayed at hotels as well. She said people like coming into Saratoga Springs to the gun show and then going through the City to spend money. They come with their families and often some family members attend the show while the rest explore the City. She said that people that come in August set up an entire day which often includes a visit to the race track. Many venues are clamoring for the gun show including Albany Capital Center, Rensselaer, and the Glens Falls Civic Center. Saratoga Springs has a beautiful downtown and although it is great, Mr. Petronis has a plan B, but this City is where his business has been built. It is not that whether this does or does not fit the Mayor's vision; it fits the vision of the 2432 people who signed the petition. In August your hotel beds should be filled? Even if you can't have all four shows at the City Center, you could host a couple of them. She asked the Authority to please re-think the decision because it is a loss to the community. She said that it is great to be able to go to the vendors' booths to see what they have to offer and it is important to their businesses as well as that of Mr. Petronis and the City. She mentioned that she is a member of a gun club in Clifton Park and like many other people, she loves spending time target shooting. The people with this hobby are decent, respectable and law-abiding. There is a long list at the County of more law-abiding people waiting for gun permits. Please ensure that people who want to buy guns here with the strictest resolutions and laws are able to do so.

CHAIRMAN'S REPORT

Parking Structure Update

October 5 DRC Meeting

M. Baker included a picture of the South facade of the parking structure that was changed; they appeared before the Design Review Commission October 5 for review of the proposed modification. R. Goldsmith stated that the DRC requested the addition of an eyebrow detail on the soffit at the overhang above the entry to reflect the upper roofline and a modification of the glass design. Approval was received at the meeting. M. Baker said the change passed with a 6-0 vote.

Approval of Construction Project Invoices

Jones Firm June – September \$11,110.71 – Litigation and \$3,152.50-Development

M. Baker advised that, regarding the litigation expenses, they will be forwarded to the insurance company for reimbursement.

Motion to approve payment to the Jones firm for June – September work in the amount of \$11,110.71 for litigation and \$3,152.50 for development made by R. Goldsmith and seconded by C. Wheeler; unanimously approved.

Bette & Cring – Envision \$101,633.75 through August 2016

M. Baker noted that most of the invoice is for design (Envision Architects) and \$30k is for WE Dailey, the pre-cast contractor.

Motion to approve payment to Bette Cring of invoice #4 in the amount of \$101,633.75 made by T. Roohan and seconded by C. Wheeler; unanimously approved.

T. Roohan asked about an entry on the last page of the Jones Firm bill regarding meeting with the City Attorney to follow up on the City Center's decision to move forward with the Subdivision Mylar,

Site plan Mylar and building permit. M. Baker said that the Mylar for the subdivision plan had to be corrected and was filed by the Jones Firm. That triggered a response from the opposition. They have attempted to amend their complaint against the Authority, so they went back to the City Attorney and stated that the city has no ability to issue a building permit.

T. Roohan said that our building permit has not been issued despite the approval of the DRC. M. Baker said that the site plan still must be signed. This process can be fussy. Opposition has taken a step forward to block the building permit. T. Roohan said that we should move forward to get the site plans signed and to obtain the building permit.

Ethics Committee Report for November

R. Goldsmith said that he and committee members C. Wheeler and T. Roohan will present the committee's report at the City Center Authority meeting on November 9.

President's Annual Review – Forms and Deadline

Chairman J. Dalton distributed the forms announcing that they must be returned to him by November 4, 2016. He requested that they be signed in order to determine which, if any review forms have not been returned. He explained that they are placed in a sealed envelope.

PRESIDENT'S REPORT

Financial Report

September 2016 Report

M. Baker reported that the September report continues to show growth. Building rental revenues year to date are at 76.6%. The overall revenue is not as far forward at 66.9%. He noted that page two of the report provides a snapshot of where we are regarding income for the third quarter of 2016 compared to the third quarter of 2015. M. Baker advised that year-to-date expenses are at 70.8% of the amount budgeted. He said that from now to the end of the year, we must watch carefully to ensure that things are balanced. He said there was a period from March through June when two Sales Directors' salaries were being carried simultaneously which impacts expenses. He explained that some expenses are reimbursed as shown on line 13 of the Expense Summary for September 2016. He noted that \$8,000 of the \$8,230 was for table rental for the New York State Law Boards. He mentioned that utilities expense is in line and everything is where it should be, but expenses are up 12.1% over 2015 because of the transition from one Director of Sales to another and related advertising expenses. Accounts receivable, catering and other receivables are not in jeopardy. M. Baker referred to page 7 of the financial report stating that in the September comparison, the building was in use 23 days and the 2016 September rent revenue of \$42,537.50 is over that of 2015 but less than the rent revenue of 2013 and 2014. He explained that when a piece of business is booked, deposits are brought in and escrowed to the year of the event and when the event is 30 days out, the money is transferred into an earned revenue account. Earned revenue is not shown until the operating year of that piece of business.

Investment Report

M. Baker informed the Authority that the room occupancy tax account balance is \$5,961,466.78 and the Parking/Capital Project Account includes the rest room renovation project as well as the parking structure project.

Construction Project Year-to-Date Expenses

M. Baker stated that since 2013 \$904,864.85 has been expended and there is still a very healthy balance. The hand out on the Parking Garage Project provides a snapshot of the project expenses for each year.

Motion to approve the September 2016 Financial Statement and quarterly financial report as presented made by S. Schneider, seconded by R. Goldsmith; unanimously approved.

ROT Tax Deposit

M. Baker said that the ROT payment expected on October 15 is for the period of June through August 2016 in the amount of \$577,268.00 which is \$24,113 or a 4.3% increase over the 2015 third quarter collection which reflects room occupancy and room rate. He presented a chart comparing third quarter collections from 2010 through 2015:

June to August ROT	
2015	\$553,155
2014	\$518,232
2013	\$461,000
2012	\$442,821
2011	\$406,515
2010	\$393,472

M. Baker said that at year end the ROT revenue is expected to be up slightly overall. He said the increase in the October payment is due to an increase in ROT during the August racing meet.

2016 and 2017 Sales Update

M. Baker presented the 2016 and 2017 sales reports for review. He reported that for 2016, there are 170 events are booked for 261.25 days of use, a strong year. He noted that 2017 looks even more promising with 127 events booked for 278.75 days of use. He said that several large multi-day pieces of business have been picked up. The sales team is working well and aggressively with the Convention and Tourism Bureau and this is reflected in the guest counts, the total number of events and paid days shown in the 3rd Quarter Event Report for July-September 2015-2016; the 2016 numbers are ahead of 2015. M. Baker said the September 2016 Monthly Sales Activity Report (new report) is a snapshot of the contracts, prospects and proposals through 2022. The team is working hard to book events for future years, focusing on large delegations, conventions, conferences and meetings. He said that lost business and leads could be for several reasons including an event being cancelled, or the prospect picked a different venue or geographic area.

Renewal of Employee Health Insurance Program 12/1

A.C.A. Compliant

M. Baker presented a chart comparing various plans offered by CDPHP for renewal of the City Center's employee health insurance plan. He explained that they are now with CDPHP but the current plan, CDPHP Platinum Plan 106 has been cancelled for next year. He has been reviewing various companies' plans', including Blue Shield of Northeastern New York and their program is less expensive but it does not offer the same level of insurance coverage the employees are used to. He feels that a strong contender for an alternative plan is CDPHP Platinum 121 EPO Copayment Plan which is essentially the same coverage they had except for some increases in copays including ER up \$25/visit and hospital admission co-pay has increased from \$250 to \$1000. He said that in this area almost all physicians work within MVP, Blue Shield, and CDPHP networks. M. Baker said that to renew with CDPHP would be an 18% increase and he recommends that employee contributions increase from 10% to 15% of the annual premium. He said insurance cost is not going down and the option is to maintain coverage or take a cheaper program. He said that the City Center renews on 12/1 so we should lock into a plan by the end of October in order to get the paperwork submitted in time. He advised the Authority that City employees are tiered and pay from 0 (retired employees) to

20%. Health insurance is no longer free but he believes there is an obligation to provide a quality health plan. J. Dalton said asking an employee to pay 15% of the cost is not unfair and most places charge their employees a lot more. R. Higgins asked if higher deductible plans were considered. He suggested providing health care savings plans that could be rolled over year after year. M. Baker said the City's Finance Department does not have the mechanism to deal with health saving accounts. He agreed that a health savings account provides an option that is beneficial. T. Roohan said that their insurance company handles the health savings accounts. M. Baker also cautioned the Authority that salary levels will be going up due to FLSA; it is in the budget. The plan is not the cheapest but if an insurance agency would facilitate a health savings account, it might be worth looking into. R. Higgins expressed concern that the copays of the proposed plan might deter someone from seeking care when it was needed. Both S. Schneider and T. Roohan suggested that the employee contribution be kept at 10% for this renewal.

Motion to accept the alternative plan CDPHP Platinum 121 EPO Copayment as proposed for one year starting 12/1/2016 and to maintain the 10% contribution by employees and look into health savings opportunities for next year, made by T. Roohan, seconded by S. Schneider; unanimously approved.

OTHER BUSINESS

Ongoing Building Projects Update

Restroom renovation

R. McMahon said that the renovation of the rest rooms is now complete; the tile is in place and the cleaning staff is thrilled especially that there is a cabinet to hold supplies. He said that MLB did a great job, and they handled the issue of the delayed tile well.

ADJOURNMENT

Motion to adjourn came at 8:52 a.m. by R. Goldsmith, seconded by T. Roohan; unanimously approved.

The next Authority meeting will be held at the City Center on Wednesday, November 9, 2016 at 8:00 am.

SARATOGA SPRINGS CITY CENTER

AUTHORITY MEETING

Wednesday, November 9, 2016

8:00 am

522 Broadway, Room 101

I MEETING CALLED TO ORDER – Authority Members sign-in

A. Welcome and Introductions

II. PUBLIC COMMENT PERIOD

Individuals are welcome to address the City Center Authority. Please state your name and address. Statements and comments should be kept to a maximum of two (2) minutes. This is not a debate or dialogue. Authority Members will not respond nor answer questions. Respectfulness and civility are requested. Individuals will be called on in the order of sign in.

III. CONSENT AGENDA – All items previously distributed

A. Approval of Minutes: October 12, 2016

B. October 2016 Financial Statement

C. Investment Report

IV. CHAIRMAN'S REPORT

A. Ethics Committee Annual Report- R. Goldsmith

B. Approval of Bond Counsel; Hodgson Russ, LLP, Christopher M. Martell

C. Approval of Financing Commitment Letter; Adirondack Trust Co. – R. Higgins

D. Approval of Construction Project invoices:

1. Jones Firm. Litigation, Sept. \$1,170.00. Development, Sept. \$2,344.00

Litigation, Oct. \$2,340.00. Development, Oct. \$1,417.27

2. Bette & Cring, Envision, Sept. \$67,913.75

E. December Meeting

1. Wed. Dec. 14; City Council, Cty. Reps, Past Authority Chairs

V. PRESIDENT'S REPORT

A. Approval of 2016 Budget Amendment

B. 2016 and 2017 Sales Up-date – previously distributed

C. Approval of 1st Quarter 2017 Expenses

D. Ratify, SAD Wayfinding kiosk

E. MLB – Close-out, Washrooms

F. RFQ: C.M. Cost Estimator

G. 2017 Meeting Dates-January 11th, February 8th, March 8th

VI. OTHER BUSINESS

VII. Executive Session: Personnel Issues/President's Annual Review

VIII. ADJOURNMENT

Saratoga Springs City Center

AUTHORITY MEETING

8:00 am

522 Broadway

November 9, 2016

Present: J. Dalton S. Schneider
R. Goldsmith C. Wheeler
T. Roohan

Absent: D. Pickett
R. Higgins

Also Present: M. Baker R. McMahon
D. Harper N. Wagner
M. Kelly

The meeting was called to order at 8:02 am by Chairman J. Dalton.

PUBLIC COMMENT PERIOD

There was no one present from the general public to speak.

CONSENT AGENDA

Approval of Minutes

J. Dalton requested a motion to approve the minutes from the October 12, 2016 Authority meeting which were previously distributed to the Board.

Motion to approve the October minutes with a minor amendment (adding name of Deputy Mayor, Meg Kelly as attending), made by T. Roohan, and seconded by R. Goldsmith; unanimously approved.

October 2016 Financial Statement

J. Dalton said the October Financial report was previously distributed. There were no questions on the report.

Motion to accept the October 2016 financial statement as previously distributed made by R. Goldsmith, and seconded by T. Roohan; unanimously approved.

Investment Report

J. Dalton requested a motion to accept the investment report distributed with the agenda materials. The room occupancy tax account balance is \$6,539,365.90.

Motion to approve the October 2016 Investment Report as presented made by C. Wheeler, seconded by R. Goldsmith; unanimously approved.

CHAIRMAN'S REPORT

Ethics Committee Annual Report

R. Goldsmith reported that he met with the Ethics Board committee members C. Wheeler and T. Roohan on November 2, 2016. He said the Code of Ethics was mandated by the Public Authorities Accountability Act, 2005 and includes standards established in the Public Officers Law §74. He noted that the Authority's Code of Ethics §13-5, and subsection F-3 requires the Chair of the Authority's Ethics Board to report annually to the Chairperson of the Authority, J. Dalton. The Committee determined that all members of the Board of Directors meet the qualifications to serve; none hold office in a political party; no events or written complaints were filed during the first ten

months of the current calendar year and no advisory opinions were sought during the same period. The City Center President reviewed all board members' disclosure statements as required by the Code of Ethics and found that they conformed to the requisite standards and were submitted to Saratoga County as required.

Motion to accept the Ethics Committee 2016 Annual Report as presented made by T. Roohan, and seconded by C. Wheeler, unanimously approved.

Approval of Bond Counsel

M. Baker stated that approval is sought to hire Hodgson Russ as Bond Counsel for the parking structure. We would be working specifically with Chris Martel from the firm. He stated that the Authority's attorney for the project, Jim Carminucci and the Adirondack Trust Company have reviewed the agency.

M. Baker explained that Hodgson Russ is an opinion writing agency. Essentially, the Bond Counsel examines the tax exempt bond status, makes sure that everything works together and they write an opinion on the indebted document, the mechanism of borrowing debt and whether it meets state and federal guidelines.

Motion to approve the hiring of Hodgson Russ LLP, specifically Chris Martel as Bond Counsel for the Parking Structure project for a fee of \$40,000-\$50,000 plus disbursements as presented in their proposal made by T. Roohan, and seconded by R. Goldsmith; unanimously approved.

Approval of Financing Commitment Letter

A copy of the October 27, 2016 Commitment letter by the Adirondack Trust Company for an amount of up to \$7,500,000 to construct the parking facility, was presented to the Board for approval. The letter includes two options. M. Baker reported that R. Higgins recommended Option B with a ten-year lock (3.00% fixed tax exempt for ten years); he and R. Higgins met with representatives of the Adirondack Trust Company, the bank's attorney Jim Cox and our attorney Jim Carminucci to review the options.

M. Baker advised that based on the last paragraph of the commitment letter, the bank wants us to sign by November 25 and to close on this by December 27, 2016 so it had to be brought to this meeting for consideration.

Motion to accept and sign the commitment letter of October 27, 2016 with Adirondack Trust Company under option B, 3% interest rate fixed for ten years tax exempt as presented made by T. Roohan, and seconded by C. Wheeler; unanimously approved.

Approval of Construction Project Invoices

Jones Firm – September, Litigation \$1,170.00; Development, \$2,344.00
October, Litigation \$2,340.00; Development \$1,417.27

J. Dalton said there are four invoices from the Jones Firm to be paid. Two are for litigation work in September and October of 2016 amounting to \$3,510 and two are for work in September and October on the development of the Parking Structure amounting to \$3,761.27.

T. Roohan asked whether the lease is signed and what is the status of the subdivision plan? M. Baker responded that the lease is signed and the subdivision plans are filed. He said he has a meeting scheduled with the City Engineer and the Commissioner of Public Works regarding the site plan. He said they expect to hear the status of the Mouzon lawsuit sometime next week.

Motion to approve payment to the Jones firm for September and October 2016 work in the amount of \$3,510 for litigation and \$3,761.27 for development made by T. Roohan, and seconded by R. Goldsmith; unanimously approved.

Bette & Cring – Envision September 2016 - \$67,913.75

J. Dalton noted that a major portion of this invoice is for architectural design work. M. Baker explained that no building permit can be issued and no approval is completed until the site plan is signed. T. Roohan asked if the City Engineer has to sign off. M. Baker said that is the reason for the meeting next week with Tim Wales and Commissioner Scirocco. He reminded the Authority that there is no basis for the building permit until the legal issue is resolved. M. Baker invited T. Roohan to attend the meeting next week.

Motion to approve payment to Bette Cring of invoice #5 in the amount of \$67,913.75 made by S. Schneider and seconded by C. Wheeler; unanimously approved.

M. Baker advised the Board that this money has been previously appropriated.

December Meeting

J. Dalton announced that on Wednesday December 14, 2016 at 8:00 am, the annual breakfast meeting will be held here at the City Center. Invitations will be sent to the City Council, County representatives, and past Authority Chairs. The event will be co-sponsored and catered by Mazzone.

PRESIDENT'S REPORT

Approval of 2016 Budget Amendment

M. Baker said that due to additional salaries and other minor expenses (hiring), it is necessary to pull an additional \$75,000 from our Room Occupancy Tax Account to maintain a balanced budget. We will still be below the 50% mark established by the Authority.

Motion to amend our budget to use \$75,000 from the Room Occupancy Tax account to meet our expenses and balance the budget made by T. Roohan, and seconded by S. Schneider; unanimously approved.

2016 and 2017 Sales up-date

M. Baker previously distributed the 2016 and 2017 sales reports for review. He reported that for 2016, they are still picking up business. He advised the Authority that if more rental money is brought in, it goes back into our account. T. Roohan asked about the City Center's success going forward. M. Baker replied that the Tourism Bureau and the City Center have focused strongly on 2017. Having S. Baker on staff has been helpful; the current sales staff has been very aggressive in how we sell and market the City Center; July and August 2017 are looking strong. He said there are lots of trade shows in the first quarter; and some in-fill. He explained that some business goes in cycles; we are focusing on 2017 and 2018.

S. Schneider asked how the City Center is marketed. M. Baker explained that the City Center works closely with the Tourism Bureau which markets the City Center and Saratoga Springs. We work in partnership with the CTB but the City Center staff books all events in our venue. He explained that the City Center sales staff does not wait for the Bureau to provide leads or bookings; the staff picks up business such as weddings, conferences, board meetings and works with the Bureau's continued support and also in concert with the hotel. The City Center's marketing is specific and direct; the market segment is heavily NYS Trade Association and corporate. The business model has not changed dramatically over the years; number one is the New York State Trade Association and residual meetings; number two are trade shows and third are special events. He said the wedding market is good for our building; we are marketing with our six caterers through an event called "Tie the Knot in 'Toga". M. Baker stated that the sales staff works with hotels for shorter term business

and corporate events. The overall marketing of Saratoga Springs is the Tourism Bureau's focus. We continue to maintain a strong partnership with the Bureau.

J. Dalton explained that the Chamber of Commerce gets \$400k from the County in marketing funds as TPA and they take a portion of that money to promote Saratoga Springs. They set aside money for group business and that money is handled by the Convention and Tourism Bureau; they match it for conventions. Fortunately, in this City there is no rivalry between the Chamber of Commerce and the Convention and Tourism Bureau. He said it might be advantageous to have Todd Garofano come in to present the Bureau's 2017 marketing plan for Saratoga Springs.

M. Baker referred to the October 2016 Monthly Sales Activity report as a snapshot of that month's sales activity and lost business. J. Dalton said that a monthly report is a good idea; he would like more detail on the type of events. M. Baker said the report was created in response to a request for a summary report, but he can include more information.

Approval of 1st Quarter 2017 Expenses

M. Baker requested approval for anticipated expenses the first quarter of 2017 relative to sales, marketing, Public Relations and professional development as submitted to the Board.

Motion to approve the first quarter 2017 expenses as presented made by R. Goldsmith, and seconded by S. Schneider, unanimously approved.

Ratify, SAD Wayfinding Kiosk

M. Baker explained that the City of Saratoga Springs and Special Assessment District Board (SAD) has approved a Wayfinding signage program. The City Center will be a participant in this program with a kiosk on the corner of Ellsworth Jones Place and Maple Avenue; near the connector with the parking structure. C. Wheeler cautioned this is a tight spot and it could be an obstacle to equipment. M. Baker said it has not been specifically located, but because of the current price, now is the time to order it from the SAD. It is a sign that is lit with LED lights. The Department of Public Works has purchased a sign printing machine so they can use material other than wood and easily update it; the signs are vinyl. They had a sample of the wording and letters and it was well done. M. Baker advised that the kiosk will be on the other side of the street from the connector; 80% of people coming to and going from the City Center are going to pass through that corridor. He said that C. Wheeler's concerns will be taken into consideration. We will be part of the new sign generation for downtown.

T. Roohan said they are trying to be consistent with font and colors. M. Baker said there will also be signs inside the City Center as well; the Bureau is working on an electronic system for that purpose.

Motion to approve/ratify the purchase and installation of a sign kiosk in the amount of \$7,395.00 at a location to be determined, in support of the Special Assessment District Wayfinding Program made by T. Roohan, and seconded by S. Schneider; unanimously approved.

T. Roohan said that the SAD is still working on the RFQ process; the presentation and ideas are fabulous; it has been a challenge. The City has budgeted \$200k and SAD is to match that. The price of the City Center kiosks goes toward the match. DPW will help with maintenance. The signs will contain both business and historical information. M. Baker added that the signs will also be directional. He noted that installation might be fussy because we have to work with the contractor to be sure the sleeves are in place that do not impact the heated sidewalk. He confirmed that the Department of Public Works is responsible for changing the signage language and for repair if the sign is vandalized.

MLB – Closeout, Washrooms

M. Baker presented the MLB Construction Services closeout invoice #10797 for the Restroom Renovations project in the amount of \$106,690; the price stayed the same; there were no change orders. He advised the Board that this is for information only; the project expense was previously approved.

RFQ: C.M. Cost Estimator

M. Baker presented a summary of the responses to the RFQ for a Cost Estimator and Construction Manager for the Parking Structure. He sent the RFQ out to five firms and two declined, one did not respond and two submitted proposals. He said the cost estimator aspect is for review of the budget numbers and the construction manager would oversee the project, and ensure that OSHA and Wicks law protocols are met. He said that MLB Construction Services wanted to be part of the project and their proposal is the lower of the two proposals received. M. Baker advised that if this is what the Authority wants to do, it has to be approved. He was surprised at the amount.

R. Goldsmith asked why the two firms declined. M. Baker responded that Bast Hatfield did not have enough staff, and Gilbane Building Company felt that it was not within their skill set. T. Roohan said the budget numbers make sense but he would like to reach out to several other companies in addition to these. He is pleased that MLB came in closer to where the numbers should be; their experience with this building is important.

Motion to reject the current responses to the 10/26/16 RFQ and send out another RFQ with the same parameters to a wider audience made by T. Roohan, and seconded by C. Wheeler; unanimously approved.

M. Baker asked and the Authority agreed that the Authority meeting dates for the first quarter of 2017 will be Wednesday, January 11, Wednesday, February 8 and Wednesday, March 8, and each meeting will be at 8:00 am.

OTHER BUSINESS

M. Baker announced that the City Center got involved in the Albany Business Review "Best Places to Work" competition. He said that 92.6% of the participants gave the City Center a high ranking; 88% said there were opportunities here to learn and advance. The word most often used to describe the work environment is "clean." He said that the results were very positive.

EXECUTIVE SESSION

Chairman J. Dalton requested an executive session to discuss personnel issues/ the President's annual review.

Motion to go into Executive Session for the discussion of personnel issues/President's annual review made by T. Roohan, and seconded by S. Schneider; unanimously approved.

ADJOURNMENT

Motion to adjourn came at a.m. by, seconded by; unanimously approved.

The next Authority meeting will be held at the City Center on Wednesday, December 14, 2016 at 8:00 am.

SARATOGA SPRINGS CITY CENTER

AUTHORITY MEETING

Wednesday, December 14, 2016

8:00 am

City Center

I. WELCOME AND HOLIDAY GREETINGS- J. Dalton, Chairman

A. Welcome City Council, County Representatives, Past Authority Chairmen

II. CONSENT AGENDA

A. Approval of Minutes: November 9, 2016 – previously distributed

B. Approval of November 2016 Financial Report – previously distributed

III. FINANCIAL REPORT

A. 2016 – Financial Summary, D. Barone, M. Baker

IV. PRESIDENT’S REPORT

A. 2016 Year End Summary – S. Baker, Director of Sales

1. 2017 Projected Sales – S. Baker, Director of Sales

B. Facility/Operations

1. 2016 Project Update/Year End Summary- R. McMahon, Operations Manager

2. 2017 Anticipated Projects/Upgrades

a. New Pantries- kitchen equipment

b. Inventory replenishment table

c. Freight Elevator Upgrade

V. CHAIRMAN’S REPORT

A. Parking Project

Update-Parking Structure Sub-Committee; Tom Roohan, Richard Higgins,
Charles Wheeler

B. Closing Comments- J. Dalton

VI. Executive Session-Personnel matter, Legal Counsel on Litigation

VII. ADJOURNMENT

Next Authority Meeting- Wednesday January 11, 2017, 8am

Happy Holidays

Saratoga Springs City Center
AUTHORITY MEETING
8:00 am
522 Broadway
December 14, 2016

Present:	J. Dalton R. Goldsmith R. Higgins D. Pickett	T. Roohan S. Schneider C. Wheeler
Also Present:	M. Baker T. Garofano S. Baker Mayor J. Yepsen Supervisor P. Martin M. Jones M. Masterson M. Rivers Commissioner M. Madigan Commissioner S. Scirocco D. Buckley Commissioner C. Mathiesen Chief Greg Veitch T. Shimkus M. Mahdavi	R. McMahon D. Barone N. Wagner Deputy Mayor M. Kelly Supervisor Veitch C. G. Brown S. Richards F. Wheeler Deputy Commissioner M. L. Bachner Deputy Commissioner T. Cogan M. Veitch Deputy Commissioner E. Finneran Chief Robert Williams C. Wait

Welcome and Holiday Greetings

At 8:05 am Chairman J. Dalton called the meeting to order. He welcomed Authority Members and members of City and County government and past board chairman Charles Wait.

Consent Agenda

Approval of minutes

J. Dalton requested a motion to approve the minutes from the November 9, 2016 Authority Meeting which were previously distributed.

Motion to approve the November 9, 2016 meeting minutes as presented, made by R. Goldsmith and seconded by T. Roohan; unanimously approved.

Approval of Financial Report

J. Dalton requested a motion to approve the November 2016 Financial Report which was previously distributed.

Motion to approve the November 2016 Financial Report as distributed made by R. Higgins and seconded by R. Goldsmith; unanimously approved.

J. Dalton thanked Mazzone catering for the breakfast and he thanked the members of the City Hall staff for their help and support of the City Center throughout the year.

Financial Report

2016 Financial Summary

J. Dalton introduced the City Center's CFO Donna Barone to present the 2016 financial summary. He complimented her for her skillful handling of HR, Finance and insurance.

D. Barone thanked everyone for coming. She reported that revenues maintained expected levels. Building rentals are at 94.4% at the end of November and with holiday bookings in December, both rentals and

catering are expected to be 99.8%. There was also a 45% increase in Miscellaneous Revenues in 2016 due to the help of the added audio visual fees. She noted that in 2016, there was a lot of focus on employee salaries including the increase in the hourly minimum wage and the pending increase to the exempt and non-exempt salaried employees; FLSA. With a slight adjustment to our budget by 8% to accommodate these changes, we still anticipate ending the year within our payroll budget at 99.7%. She reported that at the beginning of the fourth quarter there was a significant cut back in expenses, to help alleviate the impact of increases to payroll and this helped keep the overall expenses down to 81.2% in November. D. Barone thanked C. Gilmett-Brown for her diligence in getting the retirement expenses done early which helped us stay \$30k under budget. She thanked her friends in the Finance and the Accounts Departments of City Hall for all the help they provided her throughout the year, especially Lynn Bachner, Deputy Commissioner of Finance and Stefanie Richards, Purchasing coordinator in the Accounts Department. They continually help her stay on track with the budget since the City Center is not part of the MUNIS financial software system used by City Hall. D. Barone explained that during 2016 the Authority paid MLB Construction to renovate the original restrooms that are over 30 years old, utilizing money from the Authority's investment accounts; there is still \$6.2m set aside for future projects. She commended F. Wheeler for her assistance with City Center payroll issues.

President's Report

2016 Year End Summary

M. Baker explained that the City Center owes a great deal to many people over the years. He recognized DPW Deputy Commissioner Tim Cogan who, like M. Baker, is retiring at the end of this month. He noted that the City Center continuously utilizes the services of City Departments including Accounts, Finance, Public Safety, Public Works and the Mayor's Office. He thanked Chief Williams of the SSFD and Chief Veitch of the SSPD for their willingness to work with the City Center throughout the year. Through the years the City Center has worked closely with the Chamber of Commerce, and the Tourism Bureau; working well together is important to the success of Saratoga Springs. You need people, crews, individuals committed to their tasks and there have been numerous people over the past 33 years that have contributed to the success of the City Center.

M. Baker introduced the Director of Sales for the Center, Susan Baker who came to the City Center to replace Andi Gardner who retired in June.

S. Baker noted that she joined the sales team in April and much of the success reported today is the result of ground work laid by Andi Gardner and the sales staff Lauren Rowland and Rebecca Vickery. She stated there were 171 events in 2016, an increase of 17 over 2015 and 261 paid use days, 8.75 more than in 2015. There was an increase of 7500 guests serviced at the City Center in 2016, a 5% increase over 2015. She advised that the types of business include conventions and conferences, trade shows, gate shows, special events and banquets, the numbers of which were consistent with or increased over those of 2015. S. Baker reported that in 2016, the City Center hosted the 2nd Circuit Court of Appeals Conference and Chief Justice Ruth Baker Ginsburg was the keynote speaker. Also in 2016 Presidential Candidate Governor John Kasich televised a town hall meeting with Sean Hannity and for the first time, the City Center hosted the National Holstein Convention which resulted in more than 1700 room nights. Conference planners were quoted as saying repeatedly how welcome they felt in Saratoga Springs. Also noted in 2016, the Saratoga City Center hosted the first ever Lions Club Chipfest which was very successful and they will be back in 2017.

2017 Projected Sales

S. Baker stated that so far in 2017, there are 124 events booked which is 65% of the 2016 total and 255.75 paid use days which is over the 2016 total. There are more convention guests with a longer use of space in 2017. She explained that typically August is a slow month because it is hard to attract conferences but August of 2017 is very strong with Equestricon, the Reveal Art Fair and the New York State Funeral Directors booked so far. These are multi-day events and the art fair is one week long.

S. Baker said that the City Center is working in strong collaboration and partnership with the Saratoga Convention and Tourism Bureau soliciting city wide leads. The City Center has been working with hotels that have limited meeting space to submit joint proposals because the City Center offers meeting space those hotels do not have and we are within walking distance from those hotels. The walkability of Saratoga Springs is highlighted to all planners. The City Center sales staff and the Tourism Bureau are also working together to cultivate Wedding and Mitzvah business. They participated in the November 6 Museum of Dance bridal show, branding Saratoga as a destination wedding location and the use of the City Center for ceremonies and receptions. On January 29, 2017, we are both participating in the Gazette bridal show and the focus is the program "Tie the Knot in Toga" to brand Saratoga Springs as a destination for weddings and showcase the many iconic spaces available here for weddings. It is an exciting initiative. S. Baker said that the City Center sales staff and the Tourism Bureau are also meeting with area temples to learn how to provide information to parents of children in Hebrew school about the City Center venue for mitzvah celebrations.

S. Baker stated that groups of note coming in 2017 include the Juvenile Diabetes Research Foundation which is a City wide event bringing in 800 people for four days and the Community Health Care Association that has not been here since 2013. We are partnering with the Hilton to host 600 people for three days at the City Center. In 2017, the City Center will welcome back the Northeast Organic Farming Association that will bring in 1200 people for four days, the Dance Flurry which is expected to draw 5000 people for three days; and the Rotary Home show which typically attracts 5000 people for three days. We will also host the second annual Lion's Chip Fest with an expected turn out of over 1000 people and many other New York State Associations.

S. Baker explained that the competitive environment has fostered an effort to adopt marketing initiatives including establishing "stretch goals" and informal sales contests; to identify sales tools that are needed such as website updates, an enhanced social media presence, online RFP submission capability and floor plans and a virtual tour and photo gallery. There will be a secondary sales effort created by communicating with preferred caterers and area planners regarding open dates. The sales staff will participate more in event planner organizations including ESSAE, MPI, Chamber Mixers, etc. She said the sales staff will also target and contact groups that have not returned to the City Center in over three years. They will continue to work diligently with the Convention and Tourism Bureau and the Saratoga Chamber to fill 2017 with a keen eye on 2018 and beyond. We are aware that there are new properties and facilities in this area and we are hoping that all of the venues will draw more people to this area overall and they will discover that Saratoga Springs is special. This City offers a beautiful safe, gracious and walkable location and we are working to educate planners as to the ease of planning an event here and the memorable experience it provides. The National Holstein planners said it best "Saratoga offers big city amenities with a small town feel".

M. Baker said that S. Baker clearly wants to aggressively market this community. He introduced R. McMahan as the leader of the Operations team which works hard to ensure that the expectations of customers are delivered and exceeded.

Facility/Operations

2016 Project Update/Year End Summary

M. Baker introduced the Operations Manager, Ryan McMahan. R. McMahan reported that the National Holstein conference was a city-wide event and the City Center interacted with City Hall on how to protect the cows and the event was a great success. The operations staff did a fantastic job. He said there were 1800 at the Regeneron Christmas party last year and this year there will be 2000 attendees; Regeneron rents the entire building with music on each floor and the operations staff is stretched to the max. He is proud of all of them. He noted that the operations staff are often the first people that visitors who are new to Saratoga interact with. Two new members were added in 2016, one a former golf course manager and the other is an army veteran that speaks German. He said that there were not a lot of large projects this year but the original restrooms were completely renovated and all fixtures were replaced. That project finished on budget.

2017 Anticipated Projects/Upgrades

New Pantries- Kitchen Equipment

R. McMahon said that in 2017, pantries will be updated and new kitchen equipment will be installed.

Inventory Replenishment Table

It was noted that an inventory was underway and that table stock would need to be replenished in 2017.

Freight Elevator Upgrade

R. McMahon said that the freight elevator will soon need a complete upgrade. This project was originally looked at several years ago but did not occur, and will need to be revisited.

Chairman's Report

Parking Project Update

J. Dalton introduced T. Roohan, Authority member and chairman of the Parking Structure Committee. T. Roohan reported that the committee has been busy this year. They have engaged Chris Martel of Hodgson Russ, LLP as Bond Counsel and are now currently working with the Adirondack Trust Company on financing. He said the Subdivision plans have been signed and filed and they are finalizing site plan details. The project is slated to happen in 2017. J. Dalton thanked the Parking Structure Committee for their hard work and the large amount of time they have spent on this project.

Closing Comments

He noted that a great deal of funding for the marketing of the City and the City Center comes from Saratoga County. He thanked the County Supervisors for their help and support. He announced that since M. Baker is leaving at the end of December, there will be a party at the City Center January 19 from 4:30 to 7:00 pm to honor him and Judy LeCain for their 30 plus years of service. The reports today demonstrate the excellent job Mark Baker has done over 33 years here. He has overseen the expansion and improvements to the facility and is currently working hard on the Parking Structure project along with the committee; they have done a fantastic job. There will soon be a shovel in the ground for the parking structure. J. Dalton explained that the Authority decided it would not be fair for a new Executive Director to have to learn the job while simultaneously dealing with the groundbreaking and building of the Parking Structure so M. Baker will be staying on to help with that project.

J. Dalton stated that the Authority conducted a nation-wide search for M. Baker's replacement and numerous applications were received. There were two candidates in close contention and the Authority unanimously selected Ryan McMahon to fill the position. He is a graduate of Excelsior College and had established and managed the Times Center in New York City as well as Production Managed several Broadway productions for twelve years before moving to Saratoga. He has been the Operations Manager at the City Center for five years and he has been trained by M. Baker to take over his position. He congratulated Ryan McMahon.

J. Dalton and M. Baker thanked Mazzone for co-sponsoring the breakfast and they thanked everyone for coming.

Executive Session

J. Dalton looked for a motion to Adjourn to Executive Session to discuss a personnel matter and litigation.

Motion to adjourn to Executive session at 8:53 am for consideration of a personnel matter and litigation made by T. Roohan and seconded by R. Goldsmith; unanimously approved.

In Executive Session the Authority received a report and current progress up-date from Legal Counsel, The Jones Firm, regarding the pending **litigation and appeal process**. Additionally, legal counsel outlined next steps and projected calendar of proceedings.

The Authority had a brief conversation on 2017 sales and marketing initiatives and future booking policies.

The Authority reviewed the draft **Employment Contract** for the new City Center Executive Director. There was general agreement on the intent, duration and spirit of the agreement.

The Board also reviewed a recommended draft of an **Authority Resolution** to officially transfer and designate the new representative, power and signing authority from the previous Executive Director.

The Authority received a report from the firm of Hodgson Russ LLP, regarding the **Bond Resolution** for financing of the Parking Structure. A draft Bond Resolution with details, requirements and fees assigned to the Resolution (opinion) were discussed thoroughly.

Executive Session concluded at 9:46am. Motion to reconvene by R. Higgins, seconded by D. Pickett; unanimously approved.

The City Center Authority reported the results of the executive session and deliberations. The following Actions were taken;

A motion by R. Goldsmith and second C. Wheeler to approve the new Executive Director's employment contract and authorize Chairman Dalton to sign the same; unanimously approved.

A motion by R. Higgins and second by D. Pickett to approve the Authority Resolution, transferring official power and signing authority to the new Executive Director; unanimously approved.

A motion by S. Schneider and second by R. Goldsmith, to approve the Bond Counsel Resolution and associated fees as presented. Tom Roohan declared a conflict and therefore recused himself from the discussion and vote.

The motion was approved unanimously by the voting members.

There was no further business to come before the Authority.

Adjournment

Motion to adjourn at 10:17a.m. by R. Goldsmith, second by D. Pickett

The next Authority Meeting will be held at the City Center on Wednesday, January 11th, 2017 at 8 a.m.