

RESOLUTION

(Authorizing a Sponsorship for a Bronx River Parkway Mural, a Sponsorship for the McLean Ave Fall Festival, and a Sponsorship for the Yonkers Downtown Business Improvement District Holiday Lighting)

A regular meeting of the Yonkers Economic Development Corporation was convened on October 31, 2022.

The following resolution was duly offered and seconded, to wit:

Resolution No. 10/2022- 18

RESOLUTION OF THE YONKERS ECONOMIC DEVELOPMENT CORPORATION TO (I) APPROVE SPONSORSHIPS FOR (A) A BRONX RIVER PARKWAY MURAL PROJECT, (B) THE MCLEAN AVE FALL FESTIVAL, (C) THE YONKERS DOWNTOWN BUSINESS IMPROVEMENT DISTRICT HOLIDAY LIGHTING; AND (II) TO EXECUTE AND DELIVER ANY RELATED DOCUMENTS.

WHEREAS, pursuant to the purposes and powers contained within Section 1411 of the Not-for-Profit Corporation Law (the “N-PCL”) of the State of New York (the “State”), as amended, and pursuant to its certificate of incorporation filed on May 31, 2007, the **YONKERS ECONOMIC DEVELOPMENT CORPORATION** (the “Corporation”) was established as a not-for-profit local development corporation of the State with the authority and power to own, lease and sell personal and real property for the purposes of, among other things, acquiring, constructing and equipping certain projects exclusively in furtherance of the charitable or public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, instructing or training individuals to improve or develop their capabilities for such jobs, by encouraging the development of, or retention of, an industry in the community or area, and lessening the burdens of government and acting in the public interest; and

WHEREAS, to carry out the aforesaid purposes, the Corporation has the power under the NPCL to do all things necessary to fulfill its obligations imposed by the N-PCL; and

WHEREAS, art and civic engagement are critical components of a vibrant community, that attract businesses that create new jobs, promote tourism, contribute to urban revitalization and community renewal, and spur economic development; and

WHEREAS, public works of art, such as murals, beautify the City and create attractive public spaces that draw both existing and prospective residents and visitors; and

WHEREAS, Yonkers Arts is a youth mural program that mentors young street artists on the craft of mural painting and civic engagement, which advances the educational and training opportunities for individuals to develop, explore and improve their capabilities for artisanal jobs; and

WHEREAS, the Corporation desires to sponsor the Bronx River Parkway Mural in an amount not to exceed \$30,000.00 (the “Mural Sponsorship”); and

WHEREAS, outdoor festivals, such as seasonal street fairs and holiday celebrations, encourage participation in community-based events, increase civic engagement, promote tourism, enhance quality of life, attract visitors, and provide unique cultural opportunities for residents of the City; and

WHEREAS, the McLean Avenue Fall Festival (the “Fall Festival”) is one such seasonal festival, held annually, by the McLean Avenue Merchants Association, that features food, beverages, products and services from local merchants, and family-friendly activities, and draws approximately 25,000 people to the City from all over the metropolitan region; and

WHEREAS, the Fall Festival will provide much needed support to local restaurants, bars, and small businesses that continue to be impacted by the Covid-19 Pandemic, both as an event that increases business the day of the festival, and that provides exposure for these business to residents of the City and visitors, encouraging them to patronize McLean Corridor businesses in the future, thereby reducing unemployment and promoting and providing for maximum employment; and

WHEREAS, the Corporation desires to sponsor the Fall Festival, in an amount not to exceed \$30,000.00 (the “Fall Festival Sponsorship”); and

WHEREAS, the Yonkers Downtown Business Improvement District Holiday Lighting (the “YDBID Holiday Lighting”) for the 2022 holiday season will create a warm and welcoming ambiance which will activate the street, leading to an increase in foot traffic and patronage that will directly benefit downtown waterfront restaurants and other retail businesses which continue to be negatively impacted by the effects of the COVID-19 pandemic; and

WHEREAS, events such as the YDBID Holiday Lighting create an attractive downtown environment drawing residents and visitors to the downtown core of the City; and

WHEREAS, the Corporation desires to sponsor the YDBID Holiday Lighting in an amount not to exceed \$40,372.00 (the “YDBID Holiday Lighting Sponsorship” and together with the Groundwork Sponsorship, the YPIE Sponsorship, the Mural Sponsorship, and the Fall Festival Sponsorship, the “Sponsorships”); and

WHEREAS, the Corporation finds that the above contemplated programs are in the public interest; and

WHEREAS, there are sufficient funds in the Corporation account to fund the Sponsorships.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE YONKERS ECONOMIC DEVELOPMENT CORPORATION AS FOLLOWS:

Section 1. The Corporation hereby authorized participation in and funding of the Sponsorships at a total cost not to exceed \$100,372.00, as follows:

- \$30,000.00 for the Mural Sponsorship;
- \$30,000.00 for the Fall Festival Sponsorship;
- \$40,372.00 for the YDBID Holiday Lighting Sponsorship.

Section 2. The officers, employees and agents of the Corporation are hereby authorized, on behalf of the Corporation, to deliver the Sponsorships and execute and deliver any and all documents reasonably contemplated by this resolution to accomplish the Sponsorships and, where appropriate, the Secretary or Assistant Secretary of the Corporation is hereby authorized to affix the seal of the Corporation to any Sponsorships documents and to attest the same, all with such changes, variations, omissions and insertions as the officers of the Corporation shall approve, the execution thereof by any officer of the Corporation to constitute conclusive evidence of such approval. All acts of the officers, employees and agents of the Corporation in furtherance of the Sponsorships are hereby ratified and confirmed by the Corporation.

Section 3. The officers, employees and agents of the Corporation are hereby authorized and directed for and in the name and on behalf of the Corporation to do all acts and things required and to execute and deliver all such agreements, certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Corporation with all of the terms, covenants and provisions of the documents executed for and on behalf of the Corporation.

Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

| | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> |
|-----------------------|------------|------------|----------------|---------------|
| Mayor Mike Spano | [✓] | [] | [] | [] |
| Marlyn Anderson | [✓] | [] | [] | [] |
| Victor Djonaj | [✓] | [] | [] | [] |
| Hon. Cecile D. Singer | [✓] | [] | [] | [] |
| Melissa Nacerino | [✓] | [] | [] | [] |

The Resolution was thereupon duly adopted.

SECRETARY'S CERTIFICATION

(Authorizing a Sponsorship for a Bronx River Parkway Mural, a Sponsorship for the McLean Ave Fall Festival, and a Sponsorship for the Yonkers Downtown Business Improvement District Holiday Lighting)

STATE OF NEW YORK)
) ss:
COUNTY OF WESTCHESTER)

I, the undersigned, Secretary of the Yonkers Economic Development Corporation, DO
HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the Yonkers Economic Development Corporation (the "Corporation"), including the resolutions contained therein, held on October 31, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Corporation and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Corporation had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the directors of the Corporation present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolutions are in full force and effect and have not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation this ____ day of _____, 2022.

Marlyn Anderson, Secretary