

## **RESOLUTION**

*(Iconic Yonkers Fashion Week 2023, The City of Yonkers Department of Public Works Spring Clean-Up 2023, Yonkers Chamber of Commerce Programming, the Untermeyer Gardens Illumination Project, and City of Yonkers Moving Expenses)*

A regular meeting of the Yonkers Economic Development Corporation was convened on July 27, 2023.

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

### **Resolution No. 07/2023 - 02**

**RESOLUTION OF THE YONKERS ECONOMIC DEVELOPMENT CORPORATION TO (i) APPROVE SPONSORSHIPS OF ICONIC YONKERS FASHION WEEK 2023, THE CITY OF YONKERS DEPARTMENT OF PUBLIC WORKS SPRING CLEAN-UP 2023, YONKERS CHAMBER OF COMMERCE PROGRAMMING, THE UNTERMAYER GARDENS ILLUMINATION PROJECT AND THE CITY OF YONKERS MOVING EXPENSES 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 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 N-PCL to do all things necessary to fulfill its obligations imposed by the N-PCL; and

WHEREAS, events that promote the City of Yonkers's (the "City") designers, artists, performers and entrepreneurs, and encourage and support new and emerging local talent increase civic engagement, promote tourism, and enhance the quality of life; and

WHEREAS, the Corporation finds that such programs are in the public interest, will bring visitors to the City and provide unique cultural opportunities for residents of the City that are otherwise unavailable to many City residents; and

WHEREAS, the creation of truly unique experiences, and the celebration of equality, diversity and acceptance by the development of an enriching environmental and regional destination events will attract and retain the next generation of young professionals, creative-

mindful entrepreneurs and craftspeople to the City and promote and encourage the development, maintenance, and retention of Corporation projects and initiatives; and

WHEREAS, the Corporation desires to support Iconic Yonkers Fashion Week 2023, the second annual events series that showcases the City's many established and emerging fashion industry talents, in an amount of up to \$2,500 (the "Fashion Week Sponsorship"); and

WHEREAS, on May 20, 2023, the City of Yonkers Department of Public Works (the "DPW") held a citywide Spring Clean-Up event (the "Spring Clean-Up"), in which employees of the DPW and many community volunteers participated; and

WHEREAS, the purpose of the Spring Clean-Up was to spend a day cleaning and removing trash from vacant lots, streets, parks and other properties throughout the City; and

WHEREAS, despite ongoing maintenance of properties throughout the City, there are locations that collect trash, illegal dumping and other detritus, which detracts from the quality of life for residents, negatively affects the reputation and business climate of the City, and threatens the health and safety of City residents and visitors; and

WHEREAS, many of the locations targeted during the Spring Clean-Up were in economically disadvantaged areas of the City, and/or were near to or at the location of Corporation projects and initiatives; and

WHEREAS, the Spring Clean-Up is part of ongoing efforts to create and maintain an attractive, safe and welcoming environment in the City, in order to draw residents, visitors and businesses and enhance quality of life; and

WHEREAS, in furtherance of the Corporation's charitable and public purpose of reducing the burdens on government, the Corporation desires to sponsor the Spring Clean-Up, *nunc pro tunc*, in an amount not to exceed \$3,600 (the "DPW 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 Untermeyer Gardens Conservancy's ("Untermeyer") annual Grand Holiday Illumination 2023 (the "Holiday Illumination") is an annual holiday celebration featuring holiday lights and music that is free to the public every evening throughout the winter holiday season, which attracts thousands of visitors to Untermeyer and to the City each year; and

WHEREAS, the Holiday Illumination is only made possible by funding provided by outside sponsors, including the Corporation, without which Untermeyer would not be able to put on the Holiday Illumination program; and

WHEREAS, the Holiday Illumination provides an additional two months of employment to Untermeyer's seasonal employees, which would otherwise terminate in early November, instead of early January; and

WHEREAS, in furtherance of the Corporation's charitable and public purpose of providing for and maintaining employment opportunities and enhancing the quality of life in the City, the Corporation desires to sponsor the Holiday Illumination in an amount not to exceed \$15,000 (the "Untermeyer Sponsorship"); and

WHEREAS, the Yonkers Chamber of Commerce ("YCC") provides valuable programming and services to businesses in the City, regardless of membership in the YCC, including educational seminars, assistance with community engagement, assistance with access to government contracts, and counseling and other assistance to Minority and Women Owned Business Enterprises ("MWBE"); and

WHEREAS, YCC is seeking to increase outreach and promote and provide its services to new and underserved businesses, particularly to MWBE entrepreneurs (the "YCC Programming"); and

WHEREAS, YCC programs contribute to 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, which are among the Corporation's charitable and public purposes, and supporting YCC supports the Corporation's charitable and public purposes; and

WHEREAS, the Corporation desires to support the YCC Programming in an amount not to exceed \$60,000 (the "YCC Sponsorship"); and

WHEREAS, the City is transferring the offices of the Department of Planning and Development, the Department of Housing and Buildings, and the Administrative Adjudication Bureau (the "City Agencies") from their current location at 87 Nepperhan Avenue to new downtown offices at 20 South Broadway (the "New Offices"); and

WHEREAS, moving to the New Offices will: (i) improve workplace conditions for approximately 124 City employees and thousands of yearly visitors to the City Agencies, (ii) occupy vacant office space in a building that has had difficulty attracting tenants, and (iii) facilitate the redevelopment of the 87 Nepperhan Avenue location which is also adjacent to the Chicken Island site, which is slated for a major improvement project as large, mixed-use development that will spur economic development and growth in the area; and

WHEREAS, the City is able to fund the rent expenses at the New Offices, but does not have the funds to support the build-out required for the City's use; and

WHEREAS, assisting the City with the New Offices will fulfill the purposes of the Corporation by lessening the burdens of government, revitalizing the City's downtown core with additional tenancy, and promoting the public interest; and

WHEREAS, the Corporation desires to support the New Offices in an amount not to exceed \$150,000 (the "City Offices Sponsorship" and together with the Fashion Week Sponsorship, the DPW Sponsorship, the Untermeyer Sponsorship and the YCC 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 for the Sponsorships.

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

Section 1. The Sponsorships are hereby approved and 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 2. 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 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.

YEDC Resolution No. 07/2023-02

Resolution – Iconic Yonkers Fashion Week 2023, The City of Yonkers Department of Public Works Spring Clean-Up 2023, Yonkers Chamber of Commerce Programming, the Untermeyer Gardens Illumination Project, and City of Yonkers Moving Expenses

July 27, 2023

TC: Harris Beach PLLC

**Section 3.** 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	[ ]	[ ]	[ ]	[x ]
Marlyn Anderson	[✓ ]	[ ]	[ ]	[ ]
Victor Gjonaj	[✓ ]	[ ]	[ ]	[ ]
Hon. Cecile D. Singer	[✓ ]	[ ]	[ ]	[ ]
Melissa Nacerino	[ ]	[ ]	[ ]	[x ]

The Resolution was thereupon duly adopted.

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### SECRETARY'S CERTIFICATION

*(Iconic Yonkers Fashion Week 2023, the Department of Public Works Spring Clean-Up 2023, Yonkers Chamber of Commerce Programming, the Untermeyer Gardens Illumination Project, and City of Yonkers Moving Expenses Sponsorships)*

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

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

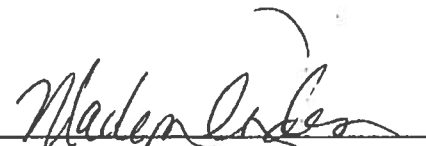
That I have compared the annexed extract of minutes of the meeting of the Yonkers Economic Development Corporation (the "Corporation"), including the resolutions contained therein, held on July 27, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of the 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 July, 2023.

  
Marlyn Anderson, Secretary