

**ALBANY CONVENTION CENTER AUTHORITY
MEETING MINUTES
CAHILL ROOM, ALBANY COUNTY OFFICE BUILDING
JANUARY 24, 2007 – 8:30AM**

ATTENDEES: GAVIN DONOHUE, JOHN HARRIS, GEORGE LEVEILLE, JACK MCENENY, JOSEPH PENNISI, BRAD ROSENSTEIN, MICHELE VENNARD, LLOYD STEWART
ABSENT – SUZANNE MORRIS

CALL TO ORDER AND ROLL CALL:

Meeting was called to order at 8:32 am and a roll call was taken by Chairman Leveille.

PUBLIC COMMENT PERIOD 8:30-8:36

The following is the list of speakers who made public comments at this meeting. The entire meeting is on audio tape and the public comments are available to anyone requesting to hear them.

Dominick Calsolaro – Albany Common Council

The public comment period concluded at 8:36.

APPROVAL OF PREVIOUS MEETING MINUTES:

December 21, 2006 meeting minutes were reviewed. Mr. Harris offered a comment on a section of the meeting minutes that needed to be amended. A motion to approve as amended was offered by Mr. Donohue and seconded by Mr. Rosenstein; unanimously approved with Mr. McEneny abstaining.

BUSINESS REPORT:

- **Chair Report**

Implementation Schedule - Mr. Leveille discussed proposed changes to the Implementation Schedule and asked Mr. Sorrentino to detail those. A new item added was receiving the first installment of the NY State Budget Proceeds. A Grant Disbursement Agreement will be issued and the initial moneys should be received in March. Mr. Patrick, Authority retained General Counsel, elaborated on the approval and disbursement process.

Organizational Issues - Mr. Leveille gave an overview of various efforts necessary for the Authority to set itself up as an independent entity, including payroll, accounting and office procurement. He asked Mr. Patrick to speak to any procurement issues involved with securing space, which he did. Mr. Donohue agreed to work with Mr. Leveille on this effort. A motion was put forth by Mr. McEneny to authorize Mr. Leveille to enter into a lease for up

to 1,500 sq. ft., at a rate of \$10.00/sq. ft. including utilities, seconded by Mr. Pennisi; unanimously approved with Ms. Vennard abstaining.

Annual Report – Mr. Sorrentino had been asked to research costs. A design and production cost was secured as an example and came in at \$1,500 - \$2,000. Depending on quantities desired, printing would be \$500 - \$2000. Mr. Patrick was asked to ensure the Annual Report meets the legal requirement of the Authority Budget Office. A motion to authorize Mr. Leveille to approve a not-to-exceed expenditure of \$4,500 was put forth by Mr. Pennisi, seconded by Mr. Harris; unanimously adopted

Market Study – Mr. Sorrentino gave an update on the process to date and that the kick-off meeting with HVS International was tentatively scheduled for Monday 2/5. They will be in town through Wednesday conducting meetings with various stakeholders.

- **Treasurer Report**

Mr. Pennisi updated the Board on the progress of the interviews for the Financial Advisors and Senior Managing Underwriters. Mr. Stewart volunteered to participate in the interviews to ease scheduling difficulties.

Mr. Pennisi went over the December Financial report and updated the Board on receipt of a partial 4th quarter of '06 amount of the hotel tax received earlier in January. He explained the changes that would take place to the allocation of the tax over the next few years and the necessary legislative action that would need to take place.

- **GEIS/ Master Planning update**

Peter Conway/Steve Wilson of Clough Harbour & Associates reviewed a status report prepared as a handout to the Board.

Shawn Hamlin of Hamlin Designs went over the details of the meeting schedule that their team would be conducting.

- **Bond Counsel RFP**

Mr. Donohue updated the Board on the process for the review and interviews from the responses to the RFP. Two were interviewed, Phillips Lytle and Hodgson Russ. Hodgson Russ was a top rated Bond Issuance firm in 2005, had reasonable fees and demonstrated their commitment to the project. Mr. Donohue made a motion to authorize Mr. Leveille to enter into an agreement with Hodgson Russ, seconded by Mr. McEneny; unanimously adopted.

- **Economic Inclusion Plan Update**

Windell Gray of Landon & Rian gave an update on his activities as the Authority's consultant. Mr. Gray is starting his outreach to MWBE firms to assess their needs via surveys. A review of that will be completed by March 15, followed by a preliminary draft of the inclusion plan prepared by April 15, a draft to the Board for review by May 1 and a final draft by June 15. If Board review is expedited, the timelines may be moved up. Mr. Harris commented that in addition to an Economic Inclusion Plan, Article 15-A calls for an

affirmative action plan. He recommended that Mr. Gray work with the Authority's General Counsel to ensure that the Authority is in compliance with the law. Mr. Gray confirmed for Mr. Stewart that when he refers to "the inclusion plan" he means two documents - the Affirmative Action Plan as required by 15A and the ACCA's Inclusion Plan. More detail will be provided in the schedule and will be forwarded to the Board. Mr. Leveille stated he sent a letter from the Capital Region Minority Business Association to Mr. Sorrentino for follow-up. Mr. Stewart reiterated that Mr. Gray's firm needs to be part of the RFP review and interviews for the construction management and design teams.

- **Legal Report**

Harris Beach - Hal Patrick suggested that Harris Beach take the lead in the matter of an amended MOU between the ACCVB and the City since the lawyer working on it in the City's Corporation Counsel's office had left. In addition, Mr. Patrick suggested that Harris Beach take the lead in drafting the agreement between the ALDC and the Authority for the same reason.

Bond, Schoeneck & King – Matt Young was introduced. His firm will research and advise the Authority on all matters concerning the Authority's participation in the State retirement, deferred compensation and health plans. He reviewed the retirement system, answered Board inquiries, and will look into all other matters.

OTHER/NEW BUSINESS:

Mr. Leveille briefly reviewed the extensive selection process, noted the over two dozen resumes received, and the multiple interviews select candidates were invited to attend. He then introduced Duncan Stewart as the inaugural Executive Director of the Authority and outlined his extensive construction background. Mr. McEneny reiterated the unanimous consent in Mr. D. Stewart's selection.

Mr. Harris recommended the Board now establish an investment policy now that it has funds. Mr. Patrick said one had been drafted and he would present it at the next meeting.

Mr. Leveille requested a motion to go into Executive Session for discussion of a personnel matter. A motion was made by Mr. Donohue, seconded by Mr. Rosenstein; unanimously adopted.

No action was taken during Executive Session.

Upon return, a motion to reconvene was made by Mr. Pennisi, seconded by Mr. Harris; unanimously approved.

ADJOURN:

A motion to adjourn was made by Mr. Stewart, seconded by Mr. Rosenstein; unanimously approved.

Next meeting date and time:

Friday, February 23, 2007, 8:30AM, 112 State St

