GREATER SYRACUSE
PROPERTY DEVELOPMENT CORPORATION
201 East Washington Street, Suite 500
Syracuse, NY 13202
Tel (315) 448-8177 Fax (315) 448-8705

To: Governance Committee
Greater Syracuse Property Development Corporation

From: Katelyn Wright

Date: November 21, 2012

Re: Governance Committee Meeting Agenda – November 30, 2012

The Greater Syracuse Property Development Corporation will hold a Governance Committee Meeting on **Friday, November 30, 2012 at 12:30 p.m.** in the Syracuse/Onondaga County Economic Development Office conference room at 333 W. Washington Street, Syracuse, NY 13202.

I. **Call to order**
II. **Roll Call**
III. **Proof of Notice –** attached p. 2
IV. **Approval of Minutes** – attached p. 3

V. **Old Business**
Investment Policy – attached p. 5
Acquisition Policy – attached p. 11

VI. **New Business**

VII. **Discussion**
Advertising for an Executive Director
– Example listings and draft listing attached p. 14
RFP for legal counsel
– Example materials attached p. 28
- Board Counsel
- Real estate transactions

PAAA Reporting Requirements – summary attached p. 34
Discuss Budget Report, currently due

VIII. **Other Business**

IX. **Adjournment**

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Property Development Corporation
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PLEASE POST **PLEASE POST** **PLEASE POST**

PUBLIC MEETING NOTICE

GREATER SYRACUSE PROPERTY DEVELOPMENT CORPORATION

HAS SCHEDULED A GOVERNANCE COMMITTEE MEETING

FOR

Friday, November 30, 2012

AT 12:30 P.M.

IN

WASHINGTON STATION
333 West Washington Street
Suite 130
Syracuse, NY 13202

For more information, please contact Katelyn Wright at 315-448-8177 or kwright@ci.syracuse.ny.us.

GREATER SYRACUSE
PROPERTY DEVELOPMENT CORPORATION
201 East Washington Street, Suite 500
Syracuse, NY 13202
Tel (315) 448-8177 Fax (315) 448-8705

Minutes
Greater Syracuse Property Development Corporation
GOVERNANCE COMMITTEE MEETING
Friday, November 2, 2012, 12:30 P.M.
333 W. Washington Street, Suite 130
Syracuse, NY 13202

Members Present: Vito Sciscioli, James Corbett, Mary Beth Primo
Others Present: Thomas Babilon, Katelyn Wright, Bob Demore, Andrew Maxwell

I. Call to order

Vito Sciscioli called the meeting to order at 12:36 p.m.

II. Roll Call

Mr. Sciscioli noted that all members were present.

III. Proof of Notice

Mr. Sciscioli noted that the public notice of the meeting had been timely and properly provided.

IV. Approval of Minutes

Mr. Sciscioli asked if there were any comments on or amendments to the minutes provided from the August 29, 2012 meeting of the governance committee. Hearing none he asked for a motion to approve the minutes. Jim Corbett motioned to approve the minutes from the August 29, 2012 meeting of the governance committee. Mary Beth Primo seconded this motion. **ALL MEMBERS PRESENT UNANIMOUSLY ACCEPTED THE MINUTES FROM THE AUGUST 29, 2012 MEETING OF THE GOVERNANCE COMMITTEE.**

V. Old Business

Procurement Guidelines

Mr. Babilon explained that the only outstanding issue was the term “state contract” which all agreed at the last meeting was unclear. All other strike-throughs in the document were based on previous discussion with the Governance Committee. After some discussion and clarification of the term “state contract,” this term was replaced with the term “MWBE-Threshold Contract” for clarity. Mary Beth Primo motioned to recommend the Procurement Guidelines as amended to the Board of Directors for adoption. Jim Corbett seconded this motion. **ALL MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION TO RECOMMEND THE PROCUREMENT GUIDELINES AS AMENDED TO THE BOARD OF DIRECTORS FOR ADOPTION.**

VI. New Business

Amendments to the Property Disposition Guidelines

Mr. Babilon explained that an amendment to these guidelines was necessary to indicate that a 2/3 majority of members of the board of directors is necessary for votes to purchase property. In this instance, it would require four members of the board. Jim Corbett motioned to recommend the Property Disposition Guidelines as amended to the Board of Directors for adoption. Mary Beth Primo seconded this motion. **ALL MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION TO RECOMMEND THE PROPERTY DISPOSITION GUIDELINES AS AMENDED TO THE BOARD OF DIRECTORS FOR ADOPTION.**

Property Acquisition Policy

Mr. Babilon explained that he'd drafted a policy that included all methods of property acquisition permissible under law. Katelyn Wright elaborated that there was significant room for elaboration and some other land banks, for example, have drafted specific criteria under which they will accept property by gift. The committee requested that Ms. Wright draft additional points such as this that might be added to the acquisition policy, so that each might be discussed at the next governance committee meeting.

VII. Discussion

Investment Policy

Mr. Babilon explained some of the outstanding questions about what is required by the Land Bank Act and by the Not-for-Profit Corporation Law and the committee recommended he seek an opinion from the state on whether the Board of Directors has the option to delegate responsibility for its investments.

VIII. Other Business

IX. Adjournment

Mr. Sciscioli asked for motion to adjourn. Ms. Primo motioned to adjourn the meeting. Mr. Corbett seconded. **ALL BOARD MEMBERS PRESENT UNANIMOUS AGREED TO ADJOURN THE MEETING AT 1:20 P.M.**

GREATER SYRACUSE PROPERTY DEVELOPMENT CORPORATION INVESTMENT POLICY

1. DEFINITIONS. As used herein, the following terms shall have the meaning set forth below.

1.1 "Board" shall mean the Board of the Greater Syracuse Property Development Corporation.

1.2 "Charitable Purpose" means the relief of poverty, the advancement of education or religion, the promotion of health, the promotion of a governmental purpose, or any other purpose the achievement of which is beneficial to the community including any purpose that is charitable under the laws of the state of New York.

1.3 "Endowment Fund" means an Institutional Fund or part thereof that, under the terms of a gift instrument, is not wholly expendable by the Land Bank on a current basis. This term shall not include assets that an institution may designate as an endowment fund for its own use, consistent with the terms of the applicable gift instrument.

1.4 "Gift instrument" means a record or records, including any solicitation by the Land Bank, under which property is granted to, transferred to, or held by the Land Bank as an institutional fund.

1.5 **"**Institutional Fund" shall mean any fund held by the Land Bank but shall not include (1) program related assets; (2) a fund held for the Land Bank by a trustee that is not the Land Bank or (3) a fund in which a beneficiary that is not the Land Bank has an interest, other than an interest that could arise upon violation or failure of the purposes of the fund. *See N-PCL §551(e)*

1.6 Land Bank" shall mean the Greater Syracuse Property Development Corporation.

1.7 "N-PCL" shall mean the

1.8 "PAL" shall mean the New York Public Authorities Law, as amended from time to time.

2. CONTROLLING LEGISLATION

2.1 PAL §2824(e) and N-PCL § 552(f) require the Land Bank to establish a written policy concerning the investments and delegation of management and investment functions of the Land Bank consistent with Article 5-A of the N-PCL.

2.2 These Guidelines are intended to be consistent with and shall be construed in accordance with the PAL and N-PCL. The Land Bank shall make investments in accordance with these Guidelines, the PAL and the N-PCL.

3. INVESTMENTS OF THE LAND BANK

3.1 **Authorization of Investment.** Any investment of an Institutional Fund shall be specifically authorized by an action of the Board.[1]

3.1 **(ALTERNATE PROVISION would require amendments throughout) Delegation of Investment Management.[2]** Subject to any specific limitation set forth in a gift instrument or in law, the Land Bank may delegate the management and investment of an Institutional Fund to the extent that the Land Bank could prudently delegate under the circumstances.

The Land bank shall act in good faith, with the care that an ordinarily prudent person in a like position would exercise under similar circumstances[3] in:

a) selecting, continuing or terminating an agent, including assessing the agent's independence including any conflicts of interest such agent has or may have;

b) establishing the scope and terms of the delegation, including the payment of compensation, consistent with the purposes of the Land Bank and the Institutional Fund; and

c) monitoring the agent's performance and compliance with the scope and terms of the delegation.

Every contract, if any, pursuant to which authority to invest and manage Institutional Funds is delegated by the Land bank shall provide that it may be terminated by the Land Bank at any time, without penalty, upon not more than sixty days' notice.

The Land Bank may delegate management and investment functions to its committees, officers, or employees as authorized by the laws of New York. [4]

[1] N-PCL § 1607(a)(11) appears to supersede N-PCL §554 (allowing for the delegation of management to a third party); and N-PCL § 514 (allowing for delegation of management to committees, officers, or employees) however, a different interpretation of the statutory language could be made to allow for delegation.

[2] N-PCL § 554

[3] Cross reference N-PCL § 717

[4] N-PCL §554(f) ; N-PCL §514

3.2 **Types of Investment.** The Land Bank may invest Institutional Funds in instruments, obligations, securities, or property as determined proper by the Board.[5]

4. Standard of Conduct in Managing and Investing an Institutional Fund[6]

4.1 General Principles.

a) Subject to the intent of a donor expressed in a Gift Instrument, the Land Bank in managing and investing an Institutional Fund, shall consider the purposes of the Land Bank, and the purposes of the Institutional Fund. Each member of the Board[7] shall act to manage and invest any Institutional Fund in good faith and with the care an ordinarily prudent person in a like position would exercise under similar circumstances.

b) In managing and investing an Institutional Fund, the Land Bank consistent with N-PCL § 717:

i) May incur only costs that are appropriate and reasonable in relation to the assets, the purpose of the institution, and the skills available to the institution; and

ii) Shall make a reasonable effort to verify facts relevant to the management and investment of the fund.

4.2 **Pooling of Funds.[8]** The land Bank may pool two or more Institutional Funds for purposes of management, and investment.

4.3 **Limitation on Profits.[9]** The Land Bank shall conduct no activities for pecuniary profit or financial gain, except to the extent that such activity supports its other lawful activities then being conducted. All profit need not be currently expended for such purposes; however such profit making activities and the profits resulting therefrom must be reasonably related to the requirements of the Land Bank's activities as they are conducted at the time that the profit making activity occurs.

4.4 General Rules.[10] Except as otherwise provided for in a Gift Instrument:

a) In managing and investing an institutional fund, the Land Bank must consider the following factors, if relevant: i) general economic conditions; ii) the possible

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[5] N-PCL 1607(a)(11)
[6] N-PCL § 552
[7] If management is delegated under N-PCL § 554 then this must be amended to reflect any person responsible for management.
[8] N-PCL § 552(d)
[9] N-PCL § 204

[10] N-PCL § 552(e)

effect of inflation or deflation; iii) the expected tax consequences, if any, of investment decisions or strategies; iv) the role that each investment or course of action plays within the overall investment portfolio of the fund; v) the expected total return from income and the appreciation of investments; vi) other resources of the Land Bank; vii) the needs of the institution and the fund to make distributions and to preserve capital; and viii) an asset's special relationship or special value, if any, to the purposes of the institution.

b) Management and investment decisions about an individual asset must be made not in isolation but rather in the context of the Institutional Fund's portfolio of investments as a whole and as a part of an overall investment strategy having risk and return objectives reasonably suited to the fund and to the institution.

c) The Land Bank shall diversify the investments of an Institutional Fund unless the Land Bank prudently determines that, because of special circumstances, the purposes of the fund are better served without diversification. The Land Bank shall review a decision not to diversify as frequently as circumstances require, but at least annually.

d) Within a reasonable time after receiving Institutional Fund property, the Land Bank shall make and carry out decisions concerning the retention or disposition of the property or to rebalance a portfolio, in order to bring the Institutional Fund into compliance with the purposes, terms, and distribution requirements of the Land Bank as necessary to meet other circumstances of the Land Bank and the requirements of this article.

5. RELEASE OF DONOR RESTRICTIONS ON FUNDS

5.1 Release of Donor Restrictions on management, investment, or purpose of Institutional Fund[11].

a) If the donor consents in writing, the Land bank may release or modify, in whole or in part, a restriction contained in a gift instrument on the management, investment, or purpose of an Institutional Fund. A release or modification may not allow a fund to be used for a purpose other than a Charitable Purpose of the institution.

b) Upon the application of the Land Bank, the Onondaga County Surrogates Court in the case of a gift by will, or the Onondaga County Supreme Court in all other cases, may modify a restriction contained in a gift instrument regarding the management or investment of an Institutional Fund if the restriction has become impracticable or wasteful, if it impairs the management or investment of the fund, or if, because of circumstances not anticipated by the donor, a modification of a

[11] N-PCL § 555, please note § 555(d) is inapplicable as the Land bank has no fund (and will not have any fund) that was established more than twenty years ago.

restriction will further the purposes of the fund. The institution shall notify the donor, if available, and the attorney general of the application, and the attorney general and such donor must be given an opportunity to be heard. To the extent practicable, any modification must be made in accordance with the donor's probable intention.

c) If a particular purpose or a restriction contained in a gift instrument on the use of an Institutional Fund becomes unlawful, impracticable, impossible to achieve, or wasteful, the court, upon application of the Land Bank, may modify the purpose of the fund or the restriction on the use of the fund in a manner consistent with the purposes expressed in the gift instrument. The Land Bank shall notify the donor, if available, and the attorney general of the application, and the attorney general and such donor must be given an opportunity to be heard.

6. RULES PERTAINING TO EXPENDITURE OR ACCUMULATION OF ENDOWMENT FUNDS.[12]

6.1 **Factors.** Subject to the intent of a donor expressed in the gift instrument, the Land Bank may appropriate for expenditure or accumulate so much of an Endowment Fund as the Land Bank determines is prudent for the uses, benefits, purposes, and duration for which the Endowment Fund is established. Unless stated otherwise in the gift instrument, the assets in an Endowment Fund are donor-restricted assets until appropriated for expenditure by the institution. In making a determination to appropriate or accumulate, the Land Bank shall act in good faith, with the care that an ordinarily prudent person in a like position would exercise under similar circumstances, and shall consider, if relevant, the following factors:

a) the duration and preservation of the Endowment Fund;

b) the purposes of the institution and the Endowment Fund;

c) general economic conditions;

d) the possible effect of inflation or deflation;

e) the expected total return from income and the appreciation of investments;

f) other resources of the institution;

g) where appropriate and circumstances would otherwise warrant, alternatives to expenditure of the Endowment Fund, giving due consideration to the effect that such alternatives may have on the institution; and

[12] N-PCL §553

h) the investment policy of the institution.

For each determination to appropriate for expenditure, the Land bank shall keep a contemporaneous record describing the consideration that was given by the governing board to each of the factors enumerated in this paragraph.

6.2 Limitations in Gift Instruments

a) The power of the Land Bank to appropriate for expenditure or accumulate under the provisions of paragraph 6.1 shall not be limited unless the Gift Instrument specifically states the limitation. Terms in a Gift Instrument setting forth specific spending level, rate, or amount, or explicitly modifying or overriding the provisions of paragraph 6.1 of this section, will limit the authority of the institution to appropriate for expenditure or accumulate under said section.

b) Terms in a gift instrument designating a gift as an endowment, or a direction or authorization in the gift instrument to use only “income,” “interest,” “dividends,” or “rents, issues, or profits,” or “to preserve the principal intact,” or words of similar import:

(1) create an endowment fund of permanent duration unless other language in the gift instrument limits the duration or purpose of the fund; and

(2) do not otherwise limit the authority to appropriate for expenditure or accumulate under paragraph 6.1 of this section.

6.3 Presumption of Imprudence. A rebuttable presumption of imprudence shall apply to gift instruments as follows: The appropriation for expenditure in any year of an amount greater than seven percent of the fair market value of an Endowment Fund, calculated on the basis of market values determined at least quarterly and averaged over a period of not less than five years immediately preceding the year in which the appropriation for expenditure is made, creates a rebuttable presumption of imprudence. For an endowment fund in existence for fewer than five years, the fair market value of the endowment fund must be calculated for the period the endowment fund has been in existence. This section 6.3 does not apply to an appropriation for expenditure permitted under law other than Article 5-A of the N-PCL or as permitted by the gift instrument itself. This section 6.3 does not create a presumption of prudence for an appropriation for expenditure of an amount less than or equal to seven percent of the fair market value an Endowment Fund.

GREATER SYRACUSE PROPERTY DEVELOPMENT CORPORATION REAL PROPERTY ACQUISITION GUIDELINES

1. DEFINITIONS. As used herein, the following terms shall have the meaning set forth below.

1.1 "Board" shall mean the Board of the Greater Syracuse Property Development Corporation.

1.2 "Acquisition" or "Acquire" shall mean the transfer to the Land Bank of title or any other beneficial interest in Real Property in accordance with these Guidelines, and the Law of the State of New York.

1.3 "Guidelines" shall mean these Guidelines, as amended from time to time by resolution of the Board.

1.4 "Land Bank" shall mean the Greater Syracuse Property Development Corporation.

1.5 "N-PCL" shall mean the New York Not-For-Profit Corporation Law as amended from time to time.

1.6 "PAL" shall mean the New York Public Authorities Law, as amended from time to time.

1.7 "Purchase" shall mean that process of Acquisition of Real Property by the Land Bank whereby consideration of any kind is given to a third party transferor by the Land Bank for the compensation of the third party transferor in reference to the Real Property Acquired.

1.8 "Real Property" shall mean lands, lands under water, structures and any and all easements, air rights, franchises and incorporeal hereditaments and every estate and right therein, legal and equitable, including terms for years and liens by way of judgment, mortgage or otherwise, and any and all fixtures and improvements located thereon N-PCL § 1602(f).

2. CONTROLLING LEGISLATION.

2.1 PAL §2824(e) requires the Land Bank to establish a written policy concerning the acquisition of Real Property by the Land Bank. The N-PCL places statutory restrictions upon the ability of the Land Bank to Acquire Real Property.

2.2 These Guidelines are intended to be consistent with and shall be construed in accordance with the PAL and N-PCL. The Land Bank shall acquire Real Property in accordance with these Guidelines, the PAL and the N-PCL.

3. ACQUISITION OF PROPERTY BY THE LAND BANK

3.1 **Methods of Acquisitions.** The Land Bank may Acquire Real Property or any interest in Real Property by gift, devise, transfer, exchange, foreclosure, purchase or otherwise on terms and conditions that the Land Bank considers proper.

3.2 **Board Approval.** The Land Bank shall not Acquire any interest in any Real Property by Purchase unless such Purchase is authorized by a vote of two-thirds of the Board as required pursuant to N-PCL § 509. Acquisition of Real Property by other than Purchase shall require a simple majority vote of the Board.

3.3 **Maintenance Considerations**. Prior to authorizing the Acquisition of a parcel of Real Property the Land Bank shall consider the immediate and long term maintenance needs of the parcel of Real Property in deference to the requirements of N-PCL § 1608(d) which compels the Land Bank to maintain all Real Property owned by it in compliance with all applicable laws and ordinances.

3.4 **Geographical Area Limitation.** The Land Bank shall not own any Real Property outside of the jurisdictional Boundaries of Onondaga County in compliance with N-PCL § 1608(e)

3.5 **Character of the Property.** Pursuant to N-PCL § 1608(g) the Acquisition of Real Property by the Land Bank from entities other than the City of Syracuse or the County of Onondaga, shall be limited to real property that is tax delinquent, tax foreclosed, vacant or abandoned; provided however that the Land Bank may purchase other Real Property consistent with an approved redevelopment Plan.

3.6 **Inventory List.** Pursuant to N-PCL §§ 1608(h) and 1608(i) Within one week of acquisition of any parcel of Real Property, the Land Bank shall be inventoried in a publicly available inventory list. The list shall include the following details regarding every parcel of Real Property so Acquired i) the location; ii) the purchase price; iii) the current assessed value; iv) any amount owed to a locality for real property taxation; iv) the identity of the transferor; and, v) any conditions or restrictions applicable to the property. Every parcel of Real Property Acquired by the Land Bank shall remain on the inventory list at least one week prior to any disposal of any interest in said Real Property. Failure to comply with the provisions of this section 3.5 shall, with regards to any individual parcel of Real Property, cause the Acquisition of that parcel to be null and void as required by N-PCL § 1608(j).

Additional factors to consider for incorporation into GSPDC Property Acquisition Guidelines

The following factors are taken from the Genesee County Land Bank Authority's Priorities, Policies, and Procedures (amended 9/21/2011).

Note that factor 2 encompasses the comprehensive foreclosure model proposed by the City of Syracuse. More detail regarding this plan and property selection will be presented to the Board in advance of the December 11th meeting.

Factors 3-6 are particularly applicable when considering whether to accept properties by gift.

In determining which, if any, properties shall be acquired that become available through the tax foreclosure process for acquisition by the Greater Syracuse Property Development Corporation, the Board of Directors shall give consideration to the following factors:

1. Proposals and requests by nonprofit corporations that identify specific properties for ultimate acquisition and redevelopment.
2. Proposals and requests by governmental entities that identify specific properties for ultimate use and redevelopment.

    Within the City of Syracuse these properties should be identified as appropriate for redevelopment and/or assembly by the land bank, subject to a citywide redevelopment plan for coordinated revitalization efforts by the City and the GSPDC. Procedures for screening properties and identifying those that fall under this strategy will be contained in the redevelopment plan and included in property transfer agreements between the City and the GSPDC.

3. Residential properties that are occupied or are available for immediate occupancy without need for substantial rehabilitation.
4. Properties that would be in support of strategic neighborhood stabilization and revitalization plans.
5. Properties that would form a part of a land assemblage development plan.
6. Properties that will generate operating resources for the functions of the Land Bank Authority.

In determining the nature and extent of the properties to be acquired the Board shall also give consideration to:

- underlying values of the subject properties,
- the financial resources available for acquisitions,
- the operational and financial capacity of the GSPDC,
- the projected length of time for transfer of such properties to the ultimate transferees,
- the property's relationship to adopted redevelopment plans, and
- the property's relationship to agreements between the foreclosing governmental unit and the GSPDC regarding coordinated redevelopment of underutilized or underperforming property.

Recent land bank ED listing
South Suburban Land Bank and Development Authority (Illinois)

REQUEST FOR QUALIFICATIONS
for an Executive Director (Consultant Position)
South Suburban Land Bank and Development Authority

Issue Date: November 16, 2012

Issued by: The South Suburban Land Bank and Development Authority (SSLBDA)

Chair:	Adam Dotson, City of Oak Forest
Vice Chair:	Mark Miller, City of Blue Island
Secretary/Treasurer:	Hildy Kingma, Village of Park Forest
Board Member:	Ed Paesel, South Suburban Mayors and Managers Association

EXECUTIVE SUMMARY

The SSLBDA was created in July 2012 by an Intergovernmental Agreement (IGA) (https://sites.google.com/a/cshcdc.org/sslbda/home) between the City of Blue Island, the City of Oak Forest and the Village of Park Forest in Illinois. The mission of the SSLBDA is to facilitate the redevelopment of acquired properties through strategic partnerships with developers, community organizations, lenders, and local governments to improve quality of life, stabilize the tax base, and enhance economic activities that promote sustainable, healthy, and stable communities in a manner consistent with local government plans and priorities.

The SSLBDA has received grant funding to hire an Executive Director for a 12 month term. The Executive Director will be responsible for executing the SSLBDA while fulfilling its mission. The Executive Director will be responsible for fundraising not only for growing the operating capital for the SSLBDA but for the funding to sustain his/her position as well.

This Request for Qualifications (RFQ) incorporates a two-part evaluation process in order to seek a qualified candidate for the consultant position of Executive Director. In the first part, the SSLBDA will qualify the submittals based on the experience of the individual or consulting firm. Those respondents who are qualified will be invited to participate in an interview. The SSLBDA will interview the top candidates for the position of Executive Director and select the candidate who best satisfies the SSLBDA's goals and objectives for this position.

Please note that this is a consultant position for a 12 month term only. No dollars have been identified to fund this position after the initial 12 month term. Further, no benefits or liability will be provided to the Executive Director.

Key Dates:

Release of RFQ	November 16, 2012
Qualifications Submission Due Date	December 7, 2012 – 3:00 pm
Notification of Selected Candidates	Goal for week of December 10, 2012

Interviews	Goal for week of December 17, 2012
Selection of Sustainability Coordinator	Goal by December 21, 2012
Expected Start Date	Goal by January 21, 2013

INTRODUCTION

South Suburban Mayors and Managers Association (SSMMA) is a council of government that for over 30 years has been providing technical assistance and joint services to 42 municipalities representing a population over 650,000 in southern Cook and eastern Will Counties. SSMMA members work cooperatively on transportation, legislation, land use, economic development, community development and housing, recycling, purchasing, storm water and open space planning, infrastructure, human resources, public safety.

In March 2011 SSMMA received a three year US Dept. of Housing and Urban Development (HUD) Challenge Grant award to support housing and economic development in transit oriented development (TOD) districts by improving SSMMA's data management through a GIS system, developing model ordinances, setting up a sub-regional land bank and establishing a TOD fund. Progress on the grant to date:

With funding from the HUD Challenge grant, three pilot communities (Blue Island, Oak Forest and Park Forest) passed Intergovernmental Agreements in July 2012 to form the first land bank in Illinois. The SSLBDA is targeting the first quarter 2013 to be in a position to receive property. In October 2012 the SSLBDA adopted its mission statement, goals, policies and procedures.

PRIMARY DUTIES AND RESPONSIBILITIES

The SSLBDA is seeking a consultant to fulfill the role of Executive Director for the overall management, operation and growth of the SSLBDA and the protection of the organization's financial assets while ensuring compliance with board directives and applicable grantor, federal and state requirements. Key duties and essential job functions of the Executive Director during this period are to:

- Oversee all accounting functions including those necessary for auditing, budgeting, financial analysis, capital asset and property management and payroll in accordance with generally accepted accounting principles, SSLBDA policies and procedures, and all other applicable rules and guidelines.

- Manage acquisition, demolition and disposition programs, including negotiating agreement terms that reflect the needs of SSLBDA; coordinate with legal advisors to finalize agreement terms; assure compliance with all required regulations; monitor progress of agreements and maintain agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Manage development agreements including negotiating agreement terms that reflect the needs of SSLBDA; coordinate with legal advisors to finalize agreement terms; monitor progress of agreements and maintain agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Handle all aspects of human resource management for employees and contracted consultants including but not limited to hiring and termination, developing position descriptions, setting compensation, and applying board-approved employee policies and benefits in accordance with federal and state requirements; regularly supervises SLBDA administrative staff.

- Grant and contract management including negotiating agreement terms that reflect the needs of SSLBDA; coordinate with legal advisors to finalize agreement terms; monitor progress of agreements and maintain agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Assist in the development of current and long-term organizational goals and objectives as well as policies and procedures for SSLBDA operations. Establish plans to achieve goals set by the Board of Directors and implements policies, subject to approval by the Board of Directors.

- Manage the mortgage program including negotiating agreement terms that reflect the needs of SSLBDA; coordinate with legal advisors to finalize agreement terms; monitor progress of agreements and maintain agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Work closely with staff members to ensure they are provided with appropriate support systems and responsive, quality service in the areas of sales, property management, planning, project accounting, human resources, purchasing and related administrative functions.

- Analyze and evaluate vendor services, particularly for insurance, employee benefits and management of SSLBDA funds, to determine programs and providers that best meets the needs of SSLBDA and makes recommendations to the Board, as appropriate; negotiate services, terms and premiums and executes contracts with benefit plan providers, supply and service vendors, auditors and consultants; manages payroll and benefits programs.

- Negotiate and manage leases for properties that are appropriate for such use.

Currently, the position does not have any direct reports, so all duties and responsibilities noted above must be fulfilled by the Executive Director.

QUALIFICATIONS

The successful candidate for this position will have:

- Knowledge of leadership and management principles
- Knowledge of current community challenges and opportunities relating to the mission of the organization
- Knowledge of human resources management
- Knowledge of financial management
- Knowledge of project management
- Broad background in government, nonprofits and management, community-based organizations, financial analysis, real estate development/finance, and land bank programs.
- Knowledge of government and regulatory systems.
- Excellent communication, speaking, and public relations skills.
- Ability to interact with Board members, local, state, and national officials, funders and community members.

The successful candidate is required to have Bachelor's degree in business administration, community development, public administration, urban planning or other related field.

A Master's Degree in public administration, community development, planning, business administration or related field is preferred. It is also preferred that the successful candidate posses at least 10 years experience in business, non-profit operation and financial management, or related areas.

REQUIRED LICENSES/CERTIFICATIONS

Valid driver's license.

PHYSICAL REQUIREMENTS/WORK ENVIRONEMNT

Work is primarily sedentary in nature, no special demands are required.
Occasional out of office field work, including driving and walking around various sites.
Travel (including overnight travel) may be required, as necessary.

COMPENSATION

The first year salary for the position is set at $76,000 and is funded through a HUD Challenge Grant received by the South Suburban Mayors and Managers Association. Funding for subsequent years is to be secured by the Executive Director.

SUBMISSION REQUIREMENTS

Individuals who are interested in the Executive Director position should submit a detailed cover letter and resume to the address below. The cover letter should include acknowledgement that this position is a consultant to the SSLBDA for a 12 month period and that no benefits or liability insurance will be included with the position.

Consulting firms are also eligible to propose qualified candidates for the consultant position of Executive Director. These firms should submit a resume for the specific individual who will fulfill the role, along with detailed information about the consulting firm, and a letter of commitment from the firm that the proposed individual will be available for a 12 month term with an approximate start date of January 21, 2013. The consulting firm's letter should also acknowledge that no benefits or liability insurance will be included with the position.

All submittals should be made no later than 3:00 pm on Friday, December 7, 2012. Any questions should be sent via email only with the subject line reading: Executive Director RFQ Questions. Submittals may be sent via email with the subject line reading: Executive Director RFQ Submittal. Submittals may also be received by mail. Hand deliveries will be accepted Monday through Friday from 8:30 am to noon and 1:00 pm to 4:00 pm. Questions and submittals should be directed to:

Janice Morrissy
Deputy Executive Director of Housing
South Suburban Mayors and Managers Association
1904 West 174th Street
East Hazel Crest, IL 60429
janice.morrissy@ssmma.org

Title: Sample Land Bank Program Director Job Description

About this Tool

Short Description:

This document is intended to provide guidance to organizations and localities that intend to use Land Banking as part of their Neighborhood Stabilization Program strategy. This sample program director description details a specific framework that can be considered in the administration of individual programs.

How to Adapt this Document:

This program director job description sample should be used as a guide or template. Please keep in mind that every job responsibility listed in this sample document may not be applicable to your specific program. Concepts such as governance structures, land use priorities, internal/external capacity and legal implications should be considered and discussed by your organization to determine if the recommended structure is the appropriate vehicle for your efforts.

Source of Document:

Substantial portions of this document came from the Center for Community Progress

Disclaimer:

This document is not an official HUD document. It is shown only as an example for informational purposes, which should only be adapted as described above. Any binding agreement should be reviewed by attorneys for the parties to the agreement and must conform to state and local laws.

Sample

Land Bank Program Director Job Description

Summary
Under the direction of the Board of Directors, the program director is responsible for overall management and operation of the XXXX Land Bank Authority (LBA) and protection of the organization's financial assets while ensuring compliance with board directives and applicable grantor, federal and state requirements.

Essential Duties and Responsibilities

The program director is responsible for overall operations for LBA, a public corporation (or private nonprofit) that manages the disposition of the tax reverted properties. The incumbent also:

- Oversees all accounting functions including those necessary for auditing, budgeting, financial analysis, capital asset and property management and payroll in accordance with generally accepted accounting principles, board and LBA policies and procedures, and all other applicable rules and guidelines.

- Manages acquisition, demolition and disposition programs, including negotiating agreement terms that reflect the needs of LBA; coordinates with legal advisors to finalize agreement terms; assure compliance with NSP regulations; monitors progress of agreements and maintains agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Responsible for development agreement management including negotiating agreement terms that reflect the needs of LBA; coordinates with legal advisors to finalize agreement terms; monitors progress of agreements and maintains agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Handles all aspects of human resource management for employees and contracted consultants including but not limited to hiring and termination, developing position descriptions, setting compensation, and applying board-approved employee policies and benefits in accordance with federal and state requirements; regularly supervises LBA administrative staff.

- Grants and contracts management including negotiating agreement terms that reflect the needs of LBA; coordinates with legal advisors to finalize agreement terms; monitors progress of agreements and maintains agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Assists in the development of current and long-term organizational goals and objectives as well as policies and procedures for LBA operations. Establishes plans to achieve goals set by the Board of Directors and implements policies, subject to approval by the Board of Directors.

- Manages the mortgage program including negotiating agreement terms that reflect the needs of LBA; coordinates with legal advisors to finalize agreement terms; monitors progress of agreements and maintains agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Works closely with staff members to ensure they are provided with appropriate support systems and responsive, quality service in the areas of sales, property management, planning, project accounting, human resources, purchasing and related administrative functions.

- Analyzes and evaluates vendor services, particularly for insurance, employee benefits and management of LBA funds, to determine programs and providers that best meets the needs of LBA and makes recommendations to the Board, as appropriate; negotiates services, terms and premiums and executes contracts with benefit plan providers, supply and service vendors, auditors and consultants; manages payroll and benefits programs.

Education and/or Experience

Bachelor's degree required in business administration, community development, public administration, urban planning or other related field. Master's degree preferred. The program director must possess at least five years experience in business, non-profit operational and financial management, or related areas.

Knowledge, skills and abilities

- Knowledge of leadership and management principles
- Knowledge of current community challenges and opportunities relating to the mission of the organization
- Knowledge of human resources management
- Knowledge of financial management
- Knowledge of project management

Proficiency in the use of computers for:

- Word processing
- Excel
- E-mail
- Internet

Travel

The program director must be able to travel to attend conferences, training and other events as required to acquire and maintain proficiency in fulfilling the responsibilities of the position.

City of Fort Collins

REDEVELOPMENT PROGRAM MANAGER

Office of Sustainability/Economic Health **Requisition #12097**
Hiring Range: $6,065 – $7,263/mo. **Classified, Full-time Position**
Salary Range: $6,065 – $8,462/mo. **Open to the public**

Closing Date: September 7, 2012

THE POSITION

SUMMARY: Manage and oversee redevelopment efforts for the City of Fort Collins and Fort Collins Urban Renewal Authority. Encourage a vibrant and resilient economy through redevelopment efforts. Primary job functions include: development and coordination of programs, projects, and/or special assignments; prioritization of service needs and organizational objectives; and direct and participate in cross-functional teams.

ESSENTIAL DUTIES AND RESPONSIBILITIES: The following duties and responsibilities are illustrative of this position and are not intended to be all inclusive:

- Manage, direct, organize and plan activities related to the Fort Collins Urban Renewal Authority (URA), including
  - Develop and coordinate URA programs, formulate proposals and decisions, and facilitate meetings, working as part of the Economic Health Office (EHO)
  - Prepare, manage, and monitor all financial aspects of the entire URA and individual tax increment districts
  - Monitor, comment and engage in the process of maintaining and updating state statutes, regulations, and rules pertaining to Urban Renewal Authorities
  - Analyze districts, nodes, and projects within the City as potential new Urban Renewal Plan Districts
  - Negotiate redevelopment agreements directing the investment of millions of dollars of Tax Increment assistance
  - Maintain and enhance the policies and procedures of the Urban Renewal Authority
  - Develop, monitor, and report goals, objectives, and performance metrics to measure the success of the URA
  - Assist in the management of the EHO by directing the work of Economic Health Analysts, Interns and Administrative Staff when applicable to the URA related programs/projects
- Develop and coordinate Development/Redevelopment Finance programs
- Manage, direct, organize, and plan all activities related to special districts intended to assist in financing redevelopment projects in the City, including but not limited to Metro Districts, Business Improvement Districts, General Improvement Districts, and Special Improvement Districts
- Provide an interface for development/redevelopment projects that achieves broad City goals and objectives between the private developer/land owner and the Development Review, Planning and Building Review departments
  - Provide regular updates to the above departments on development/ redevelopment activities
  - Coordinate a team of mid-level managers related to development/redevelopment
- Communicate development/redevelopment activities to City Council, including:
  - Prepare an annual report on the URA
  - Present to City Council on programs, projects, and special assignments as necessary
  - Present to City Council, City Staff, public stakeholders on local policies and procedures, state statutes, regulations, and rules pertaining to Urban Renewal Authorities
- Engage and manage independent contractors on a variety of projects/programs related to development/redevelopment assistance, financial analysis, economic impact analysis or other aspects of the URA and/or EHO
- Assist with prioritizing EHO and URA service needs and organizational objectives
- Interface with community partners (e.g., Colorado State University, Rocky Mountain Innosphere, Fort Collins Area Chamber of Commerce, Northern Colorado Economic Development Commission, etc.) to further departmental goals
- Travel locally, regionally, and nationally as needed to meet with potential prospects, attend industry trade shows, and to further departmental goals; travel equals 10 percent or less of working time
- Represent the City and Department at numerous networking and business functions; especially to understand the current business and economic climate and gather intelligence about potential prospects, industry trends, and economic conditions affecting the vibrancy and resiliency of the local economy
- Represent the department at internal and external meetings as needed

SUPERVISORY RESPONSIBILITIES: This job has no direct supervisory responsibilities.

THE SUCCESSFUL CANDIDATE

QUALIFICATIONS: The requirements listed below are representative of the knowledge, skills, and abilities required to perform the necessary functions of this position.

KNOWLEDGE, SKILLS, AND ABILITIES:

- Experience in the private sector, either working as a consultant or in business, is strongly preferred.

- Thorough knowledge of the department's goals, objectives, and services.
- Ability to work with limited supervision and exercise independent judgment.
- Advanced knowledge of Urban Renewal, Tax Increment Financing, Real Estate Finance, Real Estate Development, and Public Private Partnership structures and negotiations.
- Intermediate knowledge of Economic Analysis, Economic Theory, Property Tax Policy/Assessment, and Municipal Finance/Bond Issuance.
- Thorough working knowledge of all applicable Local, State and Federal regulations related to Development and Redevelopment Finance, including but not limited to: Urban Renewal Law, Colorado Revised Statutes; Special District Financing Law, Colorado Revised Statutes, and applicable Code of Federal Regulations.
- Knowledge of principles of project management; ability to manage time, organize and prioritize work effectively.
- Knowledge of standard office software including word processing.
- Advanced knowledge of and ability to operate more complex software for spreadsheet development.
- Superior oral and written communication skills; especially concise report writing and presentation.
- Effective interpersonal skills and experience managing relationships, especially business relationships both within and outside of the organization.
- Strong and effective negotiation skills, especially related to real estate development negotiations and finding win-win solutions.

EDUCATION and EXPERIENCE: A minimum of a Master's degree in Real Estate Development, Real Estate Finance, Public Finance, Economics, Urban Planning, Public/Business Administration, Management or related fields is required. The successful candidate will possess a minimum of seven years of real estate development, real estate finance, urban renewal management, or economic development related background and/or experience.

LANGUAGE SKILLS: Ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, or governmental regulations. Ability to write reports, business correspondence, and procedure manuals. Ability to effectively present information and respond to questions from groups or managers, clients, customers, and the general public.

REASONING ABILITY: Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Ability to manage multiple priorities, complex information and draw reasonable conclusions. Ability to assemble, organize and present complex statistical, financial, economic and factual information derived from a variety of sources.

CERTIFICATIONS, LICENSES, REGISTRATIONS:
- Valid driver's license.
- Development Finance Certified Professional (per Council of Development Finance Authorities requirements) or similar certification preferred.

PHYSICAL DEMANDS: Normal physical demands related to office work, including the ability to sit, talk, hear, stand, walk, use hands to finger, handle or feel, to reach with hands and arms, and frequently lift and/or move up to 10 pounds and occasionally life and/or move up to 25 pounds. The position requires the ability to drive and a valid driver's license.

WORK ENVIRONMENT: The work environment characteristics described here are representative of those an employee would encounter while performing the essential functions of this job.

The employee works in a normal office environment.

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

SELECTION PROCESS: Applications will be reviewed and selected candidates will be interviewed. Additional testing may be conducted. Post-offer background check and drug test required.

APPLICATION: Only on-line applications accepted for this position. Visit our website at www.fcgov.com/jobs to apply on-line by Friday, September 7, 2012. Requisition #12097. City of Fort Collins, Human Resources Department, 215 N. Mason, P.O. Box 580, Fort Collins, CO 80522. (970) 221-6535. Public access computers are available at H.R. Dept., Poudre River Public Libraries, and the Larimer County Workforce Center.

The City of Fort Collins will make reasonable accommodations for access to City services, programs and activities and will make special communication arrangements for persons with disabilities. Please call (970) 221-6535 for assistance.

THE CITY OF FORT COLLINS IS AN EQUAL OPPORTUNITY EMPLOYER.
BACKGROUND CHECK AND DRUG TEST REQUIRED.

GREATER SYRACUSE
PROPERTY DEVELOPMENT CORPORATION
201 East Washington Street, Suite 500
Syracuse, NY 13202
Tel (315) 448-8177 Fax (315) 448-8705

The Greater Syracuse Property Development Corporation (GSPDC) seeks applicants for the position of Executive Director. This is a full-time position, managing a 501(c)(3) organization with a large inventory of property in various conditions and in a wide range of market conditions. The GSPDC is a New York Land Bank with the stated mission:

> "To address the problems of vacant, abandoned, or tax delinquent property in the City of Syracuse and the County of Onondaga in a coordinated manner through the acquisition of real property… and returning that property to productive use in order to strengthen the economy, improve the quality of life, and improve the financial condition of the municipalities...."

The GSPDC receives tax-foreclosed properties from the City and the County with the purpose of returning them to productive, tax-paying use to improve their impact on surrounding properties, improve the quality of life in urban neighborhoods, facilitate the creative reuse of underutilized property, and foster economic development.

This organization was founded in June 2012 and the candidate that fills this role will be the Corporation's first Executive Director, responsible for continued development of the organization's policies, procedures, and operations in collaboration with the Board of Directors and other governmental and nongovernmental stakeholders.

More information about the GSPDC can be found here: http://www.syracuse.ny.us/GSPDC.aspx

Responsibilities:
Administrative –

- Provide staff support to the organization's Board of Directors
- Preparation of an annual operating budget for the organization
- Preparation of the organization's annual report—including projects undertaken, monies spent, an accounting of the land bank's financial condition, and administrative activities of the past year—for presentation to the Common Council and County Legislature
- Oversight of Corporation employees, professional service contracts—including, but not limited to, legal services, accounting, and brokerage services—, property maintenance and development contracts
- Analyze and evaluate vendor services to ensure procurement of services that best meet the needs of the land bank
- Oversight of real estate transactions and leases
- Ensures compliance with grants management requirements, as applicable
- Ensure compliance with Public Authorities Accountability Act

- Document and illustrate the accomplishments and purpose of the land bank in support of ongoing fundraising for future years' operating budgets

Strategic Planning, Intergovernmental and Public Relations –

- Planning for strategic acquisition, disposition, and assembly/holding of property in accordance with plans developed by municipal governments. Represent the interests of the GSPDC in cooperative development and adoption of these redevelopment plans.
- Planning and budgeting for the management, maintenance, improvement, and marketing of the GSPDC's real property inventory according to said redevelopment plans
- Assists in the development of current and long-range organizational goals and objectives, as well as policies and procedures for land bank operations. Establishes and implements plans to achieve goals set forth by the Board of Directors and implements policies established by the Board of Directors.
- Collaboration with other New York land banks, affiliated local, statewide, and national organizations
- Regional and state-level advocacy for policy and legislative initiatives in support of the land bank's stated mission
- Coordination with City and County government officials and elected bodies
- Communication and coordination with the Land bank Citizens Advisory Board
- Outreach to and communication with neighborhood stakeholders

General Duties –

- Currently this will be the only staff position internal to the land bank; any support services will be contracted for and all administrative and management tasks must be fulfilled by the Executive Director
- Represent the GSPDC at professional and public functions, including speaking engagements
- Keep abreast of latest trends and best practices in land bank operations and urban redevelopment
- Must be able to travel to attend conferences, training, and other events as required to maintain proficiency in fulfilling the responsibilities of the position
- Other administrative, planning, and policy-development duties as assigned by the Board of Directors

Required Qualifications:

- A Master's degree in Real Estate Development, Real Estate Finance, Public Finance, Public Administration, Urban Planning, or a closely related field
- Two to five years experience with a land bank, in real estate development, or community development activity, with responsibility for management and marketing of property in a blighted or economically challenged area
- Thorough understanding of recent and historical trends in community planning and real estate development, including the challenges faced by communities in Syracuse and Onondaga County as related to the mission of the land bank
- Experience developing and managing a not-for-profit organization's operating budget
- Experience with grants management and regulatory compliance
- Excellent written and verbal communication skills; the ability to clearly communicate and present complex concepts

- Experience and effectiveness in a leadership and advocacy role
- Experience with policy-analysis and -development
- Effectiveness and comfort with policy-based advocacy, consensus building, and facilitating dialogue with elected bodies, municipal officials, and other public agencies
- Experience and effectiveness managing dialogue and collaboration with diverse interest groups, neighborhood advocacy groups, and other local stakeholders
- Comfort acting as the administrator of a property database to track the planning for, maintenance and redevelopment, and marketing of approximately 2000 or more properties
- Strong data analysis skills
- Proficiency with Microsoft Office Suite
- A valid New York driver's license

Desired Qualifications:

- Two or more years of experience in a managerial or leadership role
- Experience managing a not-for-profit organization
- Experience with the requirements of Public Authorities in New York
- Proficiency with Arc GIS

Salary: ______________________
Benefits:

Closing Date: ______________________

Submission Requirements:
Individuals who are interested in the Executive Director position should submit a detailed cover letter and résumé to the address below. Submit all materials by 5:00 PM EST on DAY, MONTH, DATE. Applications may be emailed to GSPDC@ci.syracuse.ny.us or mailed or submitted in person to:

Greater Syracuse Property Development Corporation
City Hall Commons
Attn: Planning & Sustainability
201 E. Washington Street, Suite 500
Syracuse, NY 13202

Please direct questions to….

Selection Process:

ONONDAGA CIVIC DEVELOPMENT CORPORATION

ONONDAGA COUNTY CIVIC CENTER, 421 MONTGOMERY ST., SYRACUSE, NY 13202
PHONE: 315.435.3770 • FAX: 315.435.3669

Request for Professional Services

Counsel and Special Counsel Services for
The Onondaga Civic Development Corporation

I. INTRODUCTION

Pursuant to the procurement policy adopted in 2010, the Onondaga Civic Development Corporation is seeking a proposal or proposals for legal services for the period 2011-2013. The lawyer or law firm selected will advise the Corporation as to its legal rights and obligations, and represent the Corporation in all legal matters.

II. BACKGROUND

The Onondaga Civic Development Corporation was established by the County Executive as a not-for-profit local development corporation pursuant to sections 402 and 1411 of the New York Not-For-Profit Corporation Law ("NPCL"). The Corporation's mission is to stimulate economic growth and/or lessen the burdens of government through facilitating investments that will promote job creation/retention, improve the quality of life of Onondaga County citizens, generate prosperity, and/or encourage economic vibrancy for Onondaga County as a whole, by using available incentives including the issuance of negotiable bonds for Onondaga County's non profit organizations as set forth more fully in Section 1411(a) of the Not-for-Profit Laws of the State of New York.

III. EVALUATION

Proposals submitted through this process will be evaluated by the Onondaga Civic Development Corporation. A three-year agreement will be awarded based on the evaluation, subject to annual reappointment.

IV. Criteria for Proposal Acceptance

To be considered for selection, a respondent must be able to demonstrate that it can meet the following criteria in providing the services contemplated:

1. Experience in legal matters relating to the issuance of bonds by a New York not-for-profit local development corporation.
2. Knowledge of the Public Authorities Accountability Act of 2005 and the Public Authorities Reform Act of 2009.
3. Knowledge of environmental law, particularly as it relates to the New York Environmental Quality Review Act (SEQRA).
4. Ability to have acceptable representation at monthly and special Corporation meetings.
5. Resources required to respond in a timely fashion to Corporation inquiries and support the existing active Corporation projects and staff.

V. Contents of Proposal

Responses to this request for professional services shall contain the following information:

1. An introduction to the individual or law firm, including name(s) and summary of relevant experience of individuals who will work with the Corporation in a professional capacity.
2. Any information determined by the applicant as necessary to meet the requirements of Criteria for Proposal Acceptance above.
3. The fee basis for the services being proposed and the method of billing.

VI. PROPOSAL RESPONSE

Ten copies of the completed proposal must be received at the Office of the **Onondaga Civic Development Corporation, John H. Mulroy Civic Center, 421 Montgomery Street, 14th Floor, Syracuse, New York, 13202** not later than December 30, 2010. Proposals should be addressed to Kristi Smiley. If there are any questions regarding this request for proposals, contact Kristi at 435-3770 or ksmiley@ongov.net.

Onondaga County Industrial Development Agency

September 2011

Request for Professional Services

Counsel and Special Counsel for the Onondaga County Industrial Development Agency

I. Introduction

Pursuant to the procurement policy adopted in 1993, the Onondaga County Industrial Development Agency is seeking a proposal or proposals for legal services for the period January 1, 2012 to December 31, 2014. The lawyer or law firm selected will advise the Agency as to its legal rights and obligations, and represent the Agency in all legal matters. Typically, the firm performs 100 hours of work per year.

II. Background

The Onondaga County Industrial Development Agency (OCIDA) is a public benefit corporation of the State of New York created in 1970 pursuant to Article 18A of the General Municipal Law. Industrial Development Agencies are authorized to promote, develop, encourage, and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, research and railroad facilities, civic facilities owned or occupied by not-for-profit corporations and horse racing facilities and thereby advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York and improve their recreation opportunities, prosperity and standard of living.

The Onondaga County Industrial Development Agency is an active Agency, averaging $63,113,360 in bond and straight lease transactions over each of the past five years. The Agency is also the conduit for state and federal assistance for several types of projects, is engaged in site development projects and enters into contracts for services to serve the purposes of the Agency.

III. Evaluation

Proposals submitted through this process will be evaluated by the Onondaga County Industrial Development Agency. A three-year agreement will be awarded based on the evaluation, subject to annual reappointment.

IV. Criteria for Proposal Acceptance

To be considered for selection, a respondent must be able to demonstrate that it can meet the following criteria in providing the services contemplated:

1. Experience in legal matters relating to the issuance of bonds by a public benefit corporation, experience with the operations of Industrial Development Agencies under GML, Article 18-A, and knowledge of the Public Authorities Accountability Act of 2005 and the Public Authorities Reform Act of 2009.

2. Knowledge of environmental law, particularly as it relates to the New York Environmental Quality Review Act (SEQRA).

3. Experience in handling commercial & industrial real estate transactions.

4. Ability to have acceptable representation at monthly and special Agency meetings and all committee meetings.

5. Resources required to respond in a timely fashion to Agency inquiries and support the existing active Agency projects and staff.

V. Contents of Proposal

Responses to this request for professional services shall contain the following information:

1. An introduction to the individual or law firm, including name(s) and summary of relevant experience of individuals who will work with the Agency in a professional capacity.

2. Any information determined by the applicant as necessary to meet the requirements of Criteria for Proposal Acceptance, above.

3. The fee basis for the services being proposed and the method of billing.

VI. Proposal Response

Ten copies of the completed proposal must be received at the offices of the Onondaga County Industrial Development Agency no later 4:00 pm on October 14, 2011. Proposals may be submitted by ground delivery or in person. *Please verify the receipt of the proposals. Proposals delayed will not be reviewed*. Proposal packages must be sealed and clearly marked on the lower left front with the RFP title.

Please submit proposals to:

Kristi Smiley
ATTN: Counsel and Special Counsel RFP
OCIDA c/o Onondaga County Office of Economic Development
333 W. Washington Street, Suite 130
Syracuse, NY 13202
Phone: (315) 435-2346

All technical questions relating to this request for proposals should be emailed to ksmiley@ongov.net. Please include the name of the RFP in the subject line. The response will be sent to all recipients of the RFP.

	Firm 1		Firm 2		Firm 3		Firm 4		Firm 5		Firm 6	
	Score	Comments	Score	Comments	Score	Comments	Score	Comments	Score	Comments	Score	Comments
Experience in legal matters relating to the issuance of bonds by a public benefit corporation, experience with the operations of Industrial Development Agencies under GML, Article 18-A, and knowledge of the Public Authorities Accountability Act of 2005 and the Public Authorities Reform Act of 2009.												
Knowledge of environmental law, particularly as it relates to the New York Environmental Quality Review Act (SEQRA).												
Experience in handling commercial & industrial real estate transactions.												
Ability to have acceptable representation at monthly and special Agency meetings and all committee meetings.												
Resources required to respond in a timely fashion to Agency inquiries and support the existing active Agency projects and staff.												
Fee Structure												
Total Score												

PAAA Reporting Requirements Summary

PARIS

Within 90 days of end of fiscal year:

- Annual Report
- Procurement Report
- Investment Report
- Certified Financial Audit

60 days in advance of the fiscal year:

- Budget for the coming fiscal year

Property Transactions

Section 2897(6)(d) of Public Authorities Law requires public authorities to submit to the Authorities Budget Office a written explanation of the circumstances involving the disposal of property through a negotiated transaction not less than 90 days prior to the scheduled date of that transaction. This requirement applies to the following property:

i. Personal property having an estimated fair market value greater than $15,000;
ii. Real property having an estimated fair market value greater than $100,000, except that any real property disposed of by lease or exchange;
iii. Real property disposed of by lease, if the estimated annual rent over the term of the lease is in excess of $15,000;
iv. Real property disposed of by exchange, regardless of value, or any property any part of the consideration for which is real property;
v. Related personal property disposed of by exchange, regardless of value, or any property any part of the consideration for which is real property.

Subsidiary Creation

Section 2827-a (2) of Public Authorities Law requires state authorities that have the power to organize a subsidiary corporation pursuant to subdivision one of this section, to file, no less than sixty days prior to the formation of such subsidiary, notice to the authorities budget office, the governor, the comptroller, and the legislature that it will be creating a subsidiary.