

Minutes of the Special Meeting of the Syracuse City Redevelopment Agency of April 8, 2025, at 6:44 p.m., held in a hybrid in-person/electronic format via Zoom, meeting ID 863 7428 7554, in-person in the City Council Chambers at 1979 W. 1900 S., and streamed on the Syracuse City YouTube Channel in accordance with House Bill 5002, Open and Public Meetings Act Amendments, signed into law on June 25, 2020.

Present: Members: Jennifer Carver
Brett Cragun
Julie Robertson
Jordan Savage
Paul Watson

Mayor Dave Maughan
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:

Administrative Services Director Stephen Marshall
City Attorney Colin Winchester
Fire Chief Aaron Byington
Police Chief Garret Atkin
Parks and Recreation Director Kresta Robinson
Public Works Director Robert Whiteley
Communications Specialist Kara Finley

1. Meeting Called to Order/Adopt Agenda

Mayor Maughan called the meeting to order at 6:44 p.m. as a special meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Boardmember.

BOARDMEMBER CARVER MOVED TO ADOPT THE AGENDA. BOARDMEMBER ROBERTSON SECONDED THE MOTION, ALL VOTED IN FAVOR.

2. Consideration and possible action to authorize execution of a proposed Interlocal Tax Sharing Agreement between the Syracuse City Redevelopment Agency (RDA) and Gateway Public Infrastructure District (PID) No. 1.

A staff memo from the City Attorney referenced the draft PID/CRA agreement, noting it is the most current draft. It is the same draft that was reviewed by the RDA Board in late February. The PID recently retained counsel is reviewing the draft agreement and hopes to resolve the yellow highlighted areas prior to tonight's RDA meeting.

City Attorney Winchester stated he has received communication from the PID and all but two outstanding matters have been resolved; the two remaining issues are the effective date on the cover page of the agreement, which cannot be determined until the market study is complete, and the same date will be entered within the text of the agreement. Mayor Maughan noted that this agreement must be approved in order for the PID bond to go to the market for sale.

BOARDMEMBER SAVAGE MADE A MOTION TO AUTHORIZE EXECUTION OF A PROPOSED INTERLOCAL TAX SHARING AGREEMENT BETWEEN THE SYRACUSE CITY REDEVELOPMENT AGENCY (RDA) AND GATEWAY PUBLIC INFRASTRUCTURE DISTRICT (PID) NO. 1. BOARDMEMBER WATSON SECONDED THE MOTION; ALL VOTE IN FAVOR, WITH THE EXCEPTION OF BOARDMEMBER CARVER WHO VOTED IN OPPOSITION.

3. Request from Matthew Swain of Perry Commercial to amend the 'First Amendment to Agreement for Tax Increment Rebate' for the EOS gym facility.

A staff memo from the Community and Economic Development (CED) Department explained the City has received a request to amend the 'First Amendment To Agreement For Tax Increment Rebate Related To Development Of A Large Gym Facility', from Matthew Swain of Perry Commercial. Swain submitted the request after staff informed him of two shortcomings to the agreement that had been discovered. The agreement rebates property tax from the project only if certain performance measures are met. First, Section 6.1.2 of the amended agreement says that all footings for the new facility have to be poured by November 1, 2024. Staff inspected the footings on November 4 and observed that the footings had only been poured to around 50%. At the time of this writing, the footings are complete, and construction is continuing. Second, Section 3.3 of the original agreement requires that the new facility include a lap pool with at least three eight-foot (8') wide lanes, twenty-five (25) yards in length. The building permit for the pool indicates that the pool length is 66' or 22 yards. 25 yards is 75 feet, so the pool is 9 feet short on the length. Also, the pool width is only 22' wide with three 7' 4" wide lanes so 2 feet short on the width. The pool contractor says he has many pools for EOS and 66' is a common length. The action needed tonight is a decision from the Board regarding whether the contract should be amended to remedy the

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potential breach of contract issues explained above. Also, if it is desired to amend the contract, authorize staff to execute an amended agreement. The RDA Board approved an incentive agreement on March 20th, 2020 for 75% of the generated property tax increment attributable to the project. Subsequently, the city approved an amended incentive agreement on April 9, 2024 for 100 percent of the generated property tax increment.

Boardmember Carver expressed her disappointment in the explanations offered to the Board by Mr. Swain during tonight's City Council meeting; the size of the pool being impacted by the COVID-19 pandemic is not correct because she was not a member of the City Council/RDA Board during the pandemic and can recall the pool element of the project being discussed since her election to the Board, following the pandemic. She stated that COVID had nothing to do with the change to the size of the pool. She feels the decision to change the size of the pool was based upon something similar being done at other EOS gym facilities, however those facilities do not have an agreement with the RDA Board and should not have been the basis for deviating from the tax increment rebate agreement. The agreement was legally binding, and no one has approached the Board to discuss the need for an amendment until after deadlines have passed. She feels developers ask for exceptions all the time and that is very frustrating to her, and she is upset that Mr. Swain has tried to convince the Board they are responsible and must approve the agreement.

Boardmember Watson stated he can understand some delays in moving forward on the project due to the COVID-19 pandemic, however, that was addressed by the agreement being extended. The Board has already approved an amendment to the original agreement that extended the deadlines and increased the incentive amount; the new deadline was not met, and the stipulation of the pool size was ignored. He supports the Shadow Point Shopping Center and appreciates the partnership of the owners of that Center, but it is necessary for both parties to the agreement to uphold their own responsibilities.

Boardmember Savage added that agreements matter, and words matter; this contract was reviewed and signed by both parties, but he does not see any reason to approve an additional amendment to the agreement. The Board was supportive of subsidizing the construction of a pool because there is no pool in the City and this was viewed as an amenity that could be used by local school teams, as well as residents. That need has not been met, and the agreement ultimately was not upheld by the other party. He stated the arguments offered by Mr. Swain tonight would not be held up in any court of law if this matter were litigated and he is not supportive of further amendments.

Boardmember Robertson agreed with the points made and indicated that she is disappointed; she feels the reduction of the pool size is an effort to reduce the wear and tear on the pool by discouraging high school athletes from using it.

Boardmember Cragun stated that this is something that may have been easier to address if the Board had been made aware of the issues in a timely manner and before deadlines had passed. Most challenging to him is to approve an amendment after a deadline has passed or after non-compliant work has been completed because that sets a precedent for the City in terms of future negotiations with other applicants.

BOARDMEMBER CARVER MADE A MOTION TO DENY REQUEST FROM MATTHEW SWAIN OF PERRY COMMERCIAL TO AMEND THE 'FIRST AMENDMENT TO AGREEMENT FOR TAX INCREMENT REBATE' FOR THE EOS GYM FACILITY. BOARDMEMBER WATSON SECONDED THE MOTION; ALL VOTE IN FAVOR.

At 6:53 P.M., MAYOR MAUGHAN DECLARED THE MEETING ADJOURNED.

Dave Maughan
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: May 13, 2025