



December 3, 2015

Troy City Council Members
433 River Street.
Troy, NY 12180

RE: 1 Monument Square Redevelopment

Council Members:

We Care About The Square would like to commend the council on beginning to address our concerns regarding the proposed 1 Monument Square project.

Please keep in mind that while the \$650,000 purchase price agreed to in the Land Development Agreement is the least amount offered by any of the proposals submitted over the last three years it is only one of the many problems with the current plan.

The current plan bares little, if any, resemblance to the plan submitted by Monument Square LLC (Kirchhoff/ Sequence) in November 2014 in response to the City's RFQ/P.

Their proposal was sold to the City as having two buildings, 175 revenue generating parking spaces, public access to the river and 20,000 square feet for the Troy Farmers Market. The existing underlying grants require the public parking and public access through the site. The Troy Farmers Market Grant, awarded to the developer, is currently being renegotiated between the developer and ESD to be used by the developer for other purposes.

At this point all that is left of the public component in the project is the right to walk around the building and down a concealed and inconsequential stairway to the river.

The City should not be misappropriating \$3.9 million of grant and taxpayer money to build an apartment building for a private developer. There is little doubt that this project has been a textbook bait and switch scheme which threatens the delicate historic fabric of our Downtown. In sum, we urge the Council to void the Land Development Agreement with Kirchhoff/Sequence and reissue a new and improved RFQ/P for the good of our City and its taxpayers.

If any of you would like more information about any of the issues presented here or would like to discuss any aspect of the project please feel free to contact us at info@wecareaboutthesquare.com

Sincerely,

We Care About The Square

www.wecareaboutthesquare.com

The detail below comes from the Land Development Agreement between the City of Troy and the developer, Monument Square, LLC and the underlying Grants used to help fund the redevelopment of the site.

The Land Development Agreement executed between the City of Troy and Monument Square, LLC states that in exchange for the exclusive development rights, Option and title to the Land, as contemplated herein, the Company shall pay to the City the sum of \$650,000.00, (the "Purchase Price") as follows:

- (a) \$65,000.00 upon execution of this Agreement, such payment to be nonrefundable (other than as set forth within Section 6.4, hereof) deposit (the "Deposit") tendered by Company to City in exchange for the Development Rights and Option granted herein; and
- (b) \$585,000.00 to be paid on the Closing Date.

The City shall use commercially reasonable efforts to make the following grant funding sources (collectively, the "City Grant Funding") available for reimbursement of qualifying Project Expenditures to the Project:

- (1) Restore New York monies. These funds, estimated at [\$159,419.00] may be used for site preparation and for infrastructure.

This grant requires that the City of Troy provide at least 10% match of the Grant amount to the project. Therefore \$15,942.00 of the amount being offered to the developer is City taxpayer funds.

- (2) 2011 Local Waterfront Revitalization Program (LWRP) monies, estimated at [\$472,000.00]. These funds may be used for park improvements and associated amenities at One Monument Square that will be retained by the City. These funds require a 50% match, which will be satisfied by the Company through the construction of public access through the One Monument Square site to the waterfront.

This \$472,000.00 remaining of the State grant must be matched by the City or the Developer and must be for park improvements or associated amenities that will be retained by the City. This means City property.

- (3) Environmental Protection Fund monies, estimated at [\$3,057,212.00]. Per the contract with the New York State Department of State and the City these funds may be used for "design and construction of a new public park and underground parking facility.

These monies are remaining from the Troy City Hall Grant, originally \$4,200,000.00 (\$2,200,000.00 State [52.38%] and \$2,000,000.00 matching funds from the City [47.62%])

Therefore if \$3,057,212.00 is remaining of this Grant then \$1,602,397.00 is State and \$1,455,815.00 is City.