

Items for consideration of Kingsbridge Armory CBA – June 19, 2009

LABOR AND WORKFORCE DEVELOPMENT

1. The developer will implement a living wage policy for all Armory personnel.
 - a. Based on prevailing wage standards by industry (i.e. building maintenance, security, etc.)
 - b. Applicable to all Armory employees, contractors, and sub-contractors.
 - c. The developer will make all reasonable efforts to promote a living wage amongst employees of tenants prior to signing of any lease agreement.
 - i. Developer will provide information to all prospective tenants on its website and advertisements pertaining to the “Living Wage” goal and benefits.
 - ii. Developer and each tenant will meet with CBA members to discuss each prospective tenant’s impact on the living wage threshold prior to occupation of leased space.
2. A comprehensive first source local hiring plan required of all prospective tenants.
 - a. Employers to provide hiring opportunities for employment for all residents in CB7 for 45 days prior to going public for all positions pre- and post-construction.
 - b. Employers must file quarterly reports on the percentages of hires that are targeted individuals, and describe any difficulties they have had in complying with the program.
 - c. Postings to be available to all local media, local employment organizations, and the CB office.
3. A community/labor project agreement to promote labor collaboration during the construction of the Armory Project
 - a. Including a minimum of 25% of local hiring for construction jobs and 50% of local hiring for office/front desk jobs, with first source local hiring given to all CB 7 residents for a period of 45 days prior to going public for all jobs in the construction phase.
 - b. Minimum local hiring percentages must apply to all entry, mid-level, and supervisory positions during the construction project, unless the developer can demonstrate due diligence throughout the hiring process.
 - c. Require that a Community Labor Report be published quarterly throughout the construction period providing data on employee demographics, wages, union affiliation, benefits, and employment level.
4. Require the developer to prepare an Annual Wage and Benefit Disclosure Report for all employees of developer and tenants in the Armory.
 - a. Must include percentage of jobs for which benefits are provided and jobs paying at or above the living wage level of \$10/hour.
 - b. Tenants must be required to provide the developer with their wage levels and other demographic information as a condition of their lease agreement.
 - c. Additional requirements to be determined in conjunction with the CBA signatories and CB.
5. Contract with various job-training/skills development organizations to provide training to residents of CB7 and Kingsbridge Heights and businesses in various fields.
 - a. Fund construction trade training programs at least one year prior to start of construction.
 - b. Fund job training/retail skills development programs at least one year prior to anticipated opening and 2 years afterward through an independent provider to be determined by the developer and the CBA signatories.
 - c. Facilitate small business development/MWBE certification trainings for a period of three years starting immediately after the start of construction.

ECONOMIC DEVELOPMENT

1. Except for anchor tenants, the developer would be required to promote a lease opportunity hierarchy for space in the Armory complex.
 - a. Minority or women-owned businesses (MWBE) in CB7 and along East/West Kingsbridge Road.
 - b. Other Bronx-based MWBE's after local opportunities.
 - c. All local businesses, institutions, and other organizations in CB7 and East/West Kingsbridge Road after Bronx-based MWBE's.
 - d. All other Bronx-based businesses, institutions, and other organizations after local entities.
 - e. All other businesses, franchises, or organizations after Bronx-based businesses.
2. Requirement for each business who the developer intends to sign a lease agreement with to meet with representatives of an advisory committee to be determined by the CBA negotiating group and the community board 60 days prior to agreement.
 - a. Verification of compliance with lease opportunity hierarchy.
 - b. Determination of type of business and services to be provided.
 - c. Determination of potential impact on the "Living Wage" indicator and opportunity to promote the living wage concept to tenants.
 - d. Present recommendations to the developer and make available to the general public.
3. Commitment to attract/refrain from certain businesses to meet stated community needs.
 - a. Gauge community interests or dissatisfaction on specific retail, service, and professional industries, including anchor tenants.
 - b. Based on expressed interests, the developer will execute due diligence to contact and market the project to these potential tenants and will facilitate discussions between the business and representatives of an advisory committee to be determined by the CBA negotiating group and the community board.
 - c. In an attempt to diversify job opportunities and wages, the developer agrees to set aside 15% of the total developable space, excluding community space, to non-retail, professional entities.
 - d. A large scale supermarket / food wholesaler of approximately 60,000 sq. ft. shall be considered as an anchor tenant and the developer will negotiate with a supermarket chain to maintain a permanent supermarket in the Armory.
 - e. Alternatives to a fast food court to offer shoppers healthier choices will be developed and the number of fast food establishments will be limited to 25% of all food establishments.
4. Actively engage surrounding businesses and organizations for the purposes of creating a Kingsbridge Road Business Improvement District.
 - a. Fund 50% of and manage a six-day, clean street services program beginning in January 2010 to December 2012, on East/West Kingsbridge Road from the western side of the Grand Concourse to University Avenue and on Jerome Avenue from East 192nd to East 195th Streets.
 - b. Set aside funding for uniform façade design and installation for businesses on West Kingsbridge Road from Jerome Avenue to Aqueduct Avenue.
 - c. Provide 50% funding for permanent public safety/security measures along East/West Kingsbridge Road prior to opening. (i.e., pedestrian lighting, security cameras, etc).
 - d. Set aside a fund for a full time security patrol in conjunction with local businesses of no less than 25% of the total costs to provide manned security services on East/West Kingsbridge Road from the western portion of the Grand Concourse to University Avenue for two years starting in 2012.
 - e. Provide \$1.5 million in funding for low interest loans for small business development for businesses along East/West Kingsbridge Road.

ENVIRONMENT

1. Contain all refuse generated from tenants inside of the Armory until disposal.
 - a. Utilize where possible rodent resistant cans and garbage compactors to minimize the likelihood of vermin activity at the Armory.
 - b. Design and implement a vermin control plan throughout the Armory and to use pest control services on a regular basis.
 - c. Tenants must comply with recycling and waste management regulations and incorporate technologies that help to reduce waste.
2. Incorporate energy and water saving technologies to reduce resource consumption.
 - a. Common spaces must utilize energy saving devices and tenants are to be provided incentives to utilize these technologies.
 - b. Incorporate storm water collection technologies to reduce the Armory's overall water usage in areas such as public restrooms and all other non-potable usages.
3. Utilize solar-powered trash compactors on the Armory block for exterior pedestrian trash management.
 - a. The developer will include this refuse as part of its sanitation removal policy.
 - b. The developer will incorporate an anti-dumping policy and measures to prevent illegal dumping on the Armory block.
4. Develop an air pollution control plan that will minimize the amount of exposure to truck vehicle exhaust from construction, delivery, and service vehicles at the Armory.
 - a. Developer will mandate that all construction vehicles will access the Armory year round during non-school hours to reduce exposure of particulate matter to neighborhood children.
 - b. Developer will design and implement a non-idling policy of delivery vehicles for all tenants.
 - i. Install air monitoring devices to monitor vehicular exhaust in the delivery zone, areas immediately adjacent to this zone and on select areas on West Kingsbridge Road.
 - ii. Data collection must incorporate best work practices and Board recommendations and findings reported on a quarterly basis to the community board.
 - iii. Developer will report all anomalies and plan and implement measures to reduce the likelihood of future anomalies.
5. The Developer will design and implement a stringent anti-graffiti policy for itself and its tenants in and around the facility, including the public spaces.
 - a. The Armory complex, exterior building, and all public spaces, including the public plaza and surrounding street furniture on the Armory block will be monitored for graffiti vandalism.
 - b. All graffiti removal will take place in a timely manner, but no more than 24 hours for indoor incidents and 48 hours for outdoor incidents, weather permitting.
 - c. The developer will maintain a database of all incidents and share this information with the community board and 52nd Pct on a quarterly basis.
6. Continue to provide space for the City's Graffiti Free NYC service, including vehicles and personnel, in the Armory building.
 - a. Create dedicated parking space for this program's vehicles, including service areas.
 - b. Redesign office space for the program's personnel according to city guidelines.

TRANSPORTATION

1. The developer will implement and require alternative schedules and routes for all construction vehicles reporting to and departing from the worksite to minimize the impact on local traffic and protect pedestrians, particularly seniors and students, from vehicular accidents.
 - a. Actively monitor and restrict all construction vehicles from accessing East or West Kingsbridge Road and Jerome Avenue south of West 195th Street at all times.
 - b. Prohibit all construction and personnel vehicles from parking, standing, or idling on the north side of West 195th Street, which is alongside several public schools.
 - c. During construction, all vehicles shall be restricted from using the northbound side of Reservoir Avenue/Goulden Avenue from 7AM- 7 PM daily as a pedestrian/school safety measure.
2. The developer will delay the de-mapping of the portion of West 195th Street until the end of the Armory construction period, unless the properties adjacent to the south side of the street are acquired by the School Construction Authority for the purposes of building schools at that location.
 - a. Measure will provide additional parking for employees and not reduce on-street parking.
 - b. Will allow MTA buses ample space to access W. 195th Street with additional car and truck traffic anticipated at the worksite.
3. Work with the DOT, MTA, & TLC to improve traffic management on West Kingsbridge Road between Jerome Avenue and Aqueduct Avenue West.
 - a. Work with the MTA to relocate the westbound Bx9 bus stop from East Kingsbridge Road to West Kingsbridge Road between Davidson and Jerome Avenues to improve commuter services and increase pedestrian safety.
 - b. Redesign sidewalk space between Jerome and Davidson Avenues on West Kingsbridge Road to be more conducive to commuter/pedestrian traffic.
 - i. Add bus and bicycle shelters to provide a commuter friendly transit hub.
 - ii. Add decorative barriers to direct pedestrians and protect against vehicles.
 - c. Construct neckdowns on the northwest corner of Jerome Avenue and West Kingsbridge Road to reduce crossing time for pedestrians.
 - d. Implement a No Standing Anytime except Taxi and Livery car “Drop off and pickup only” zone between Davidson Avenue and Grand Avenue in front of the Armory.

PARKS/PUBLIC SPACE

1. Design, build, and fund a public plaza program at the existing Barnhill Triangle adjacent to the Armory
 - a. Developer will set up and contribute to a community council that shall consist of residents, businesses, and community organizations during the design phase and event programming.
 - b. Implement the plaza redesign so that the project is completed before summer of 2012.
 - c. Provide opportunities for small vendors and businesses to partner with the Armory to set up concessions at the plaza.
2. Design, build, and maintain green streets and spaces in and around the Armory.
 - a. Set aside of a “Green” fund for the purchase and maintenance of trees, planters, and gardens on the Armory block and rooftop.

- b. Incorporate an environmentally friendly design that includes community partners in the design and implementation phases.
 - c. Provide funding for the renovation and improvement of the baseball diamond behind the Armory on West 195th Street, including lighting throughout the field that incorporates environmentally sustainable design and allows for nighttime use of the field.
- 3. Provide a fund to install distinctive street lighting along the Armory perimeter and commercial corridor along Kingsbridge Road from the west side of the Grand Concourse to University Avenue.
- 4. Formulate a partnership with the MTA to adopt the “4” and “D” Kingsbridge Road train stations to promote the Armory and Kingsbridge Road shopping district.
 - a. Supplemental exterior maintenance agreements to remove trash, leaves, snow, and debris around station entrances.
 - b. Commitment to a fixed percentage of advertising dollars split between each of the stations for marketing the Armory, art projects, and special events calendar to be determined in conjunction with the CBA signatories.
- 5. Establish a Neighborhood Beautification Fund for CB7 for improving and maintaining public spaces.
 - a. Promote and provide two (2) annual grants of \$5000 each to be distributed amongst applicants for the costs of materials for local beautification projects for a period of 30 years from opening.
 - b. An applicant must be a charitable or non-profit organization that is located in CB7, projects must be located in the district in a public space, and must be a volunteer-run project.
 - c. Award recipients must comply with any additional rules and regulations regarding this fund.
- 6. Provide free Wi-Fi internet access throughout the Armory building and extending into the public plaza to be built on Barnhill Triangle, the parkland at the beginning of Aqueduct Walk, and include the proposed schools on West 195th Street between Jerome and Reservoir Avenues.
- 7. Provide funding for additional street furniture on the Armory block such as seating, enclosed bicycle racks, signage, and outdoor information kiosks to be determined by the developer, NYC DOT and CB7.

COMMUNITY SPACE IN THE ARMORY

- 1. Community space for organizations throughout the building to include:
 - a. A community youth recreation center of no less than 20,000 sq. ft. at a rent that will make it feasible to maintain as a long-term tenant.
 - b. Discounted rents of \$10/hour for non-profit organizations (NPO’s) located in the head house and rents starting at \$20/hour for NPO’s outside of the head house.
 - i. A list of prospective tenants will be provided by the CBA signatories to the developer as a first source recommendation based on the types of services they provide.
 - ii. The Career and Technology Center, proposed by the CB, will consist of 2500 sq. ft. and will be completely subsidized through maintenance and BID fees.
 - iii. The World Peace Atrium, as proposed by the CB, is of artistic value and the developer shall agree that it will be subsidized by maintenance fees in its entirety as a free public art exhibit in common spaces throughout the Armory.
 - iv. Office space in the head house will be completely renovated and built out to NPO specifications and full cost to be subsidized by the developer.
 - c. New Community Board office space at the maximum allowed per the City of 1500 sq. ft. at the market value plus access to an additional 1000 sq. ft. at no cost.
- 2. Business incubator space for small vendors throughout the building and public places as either:

- a. Tenant incubators: The developer will set aside 10000 sq. ft. in 500 sq. ft. increments throughout the commercial areas for small retail tenants, with preferences for MWBE businesses. Tenants will be limited to a 3 year lease as a pre-condition for below market rents as a way to encourage and foster small businesses development.
 - b. Small Vendor incubators: The developer will provide 10 designed vendor carts (i.e. 6'x4') for small retail tenants with preferences for MWBE businesses. Tenants will be limited to below market rates for the first year of their lease and market rate for every year thereafter as a way to encourage very small business development. Small vendors can be located either in the Armory building or in the public plaza by Reservoir Avenue and West Kingsbridge Road.
3. Provide space to CUNY Lehman College for its Small Business Services Program, the Bronx Institute, and an annex for the Continuing Education Program as part of the professional space use.
4. Proposed partial list of non-profit organizations for consideration as possible tenants in the community facility space as per the rates stated in 1(b) above:
 - a. Equipment and office space for Bronx Chapter of Special Olympics
 - b. Bronx Chapter of the Boy Scouts of America
 - c. Bronx headquarters of the American Red Cross
 - d. Bronx Vet Center
 - e. Career and Technology Center
 - f. Bronx Historical Society
 - g. Bronx Net Studios
 - h. Office space for a future Kingsbridge Road BID
 - i. Office space for a future Kingsbridge Heights Preservation Corporation
 - j. World Peace Atrium and Exhibits
 - k. Meeting/Conference Room space for community partners
 - l. Council for the Arts
 - m. Construction Management Training Program
 - n. Per Scholas tutoring center
 - o. Acción Micro lending Corporation
 - p. New Profit financial awareness group
 - q. Green Tech partner for environmental conservation
 - r. Behind the Book reading program
 - s. Education through Music program
 - t. Roof top access for outdoor seating with perimeter fencing
 - u. Café style seating areas throughout common space for indoor events/promotions
5. Funding for the purchase of twelve-passenger vehicles for local senior citizen centers in Kingsbridge Heights, Bedford Park, and University Heights for transporting senior citizen participants in the area.
6. Funding for Architectural & Planning firm for management of the Social Venture Mall.

HOUSING

1. Funding for off-site affordable housing projects. Developer agrees to provide \$2 million for interest-free loans as seed money for local affordable housing project development or rehabilitation for area non-profit housing developer(s) in CB7.
 - a. Project must be developed to include both low and middle-income residents
 - b. Project must incorporate environmentally friendly and sustainable standards both during construction & post development.
 - c. Design concepts must have a review process where CBA signatories can review and comment on the project.

- d. Location of the project must not include areas where existing one & two family homes are currently situated and must comply with current zoning regulations.
 - e. No less than 50% of all units must be made available to current CB7 residents through a lottery system. The recipient of the award agrees to share all data regarding occupancy of all units in a public forum and with CB7 to determine compliance.
 - f. Determination of award recipient will be made by a five member panel consisting of signatories of the CBA agreement. Applicants for the program cannot be a member of the panel.
2. Funding for a private consultant to study, design, and present a 197A plan for the development, growth, and improvement of the district, to be chosen at the discretion of the Board, up to \$250,000.00.
3. Funding for tenant advocacy programs throughout CB7. The developer agrees to provide \$100,000 annually for a period of three (3) years for the purpose of funding tenant rights organizations to protect low-income families' access to affordable housing. This funding must be awarded to area non-profit tenant advocacy organizations residing in CB7.
 - a. Cost for promotion of the award to be paid by Related.
 - b. Applicants must submit a written proposal detailing their program and how funds will be administered.
 - c. Applicants must have been in operation within the confines of CB7 for a period of no less than five (5) years to qualify for this award.
 - d. Determination of award recipient will be made by a five member panel consisting of signatories from the CBA agreement. Applicants for the program cannot be a member of the panel.