

## APPLICATION FOR ASSISTANCE

Each applicant seeking assistance must complete this application and provide required supplemental forms/documentation.

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law, except for information that is considered deniable by the Freedom of Information Law. This form is available at [www.monroecountybusiness.org/application](http://www.monroecountybusiness.org/application).

Please send completed application via email to [EconomicDevelopment@monroecounty.gov](mailto:EconomicDevelopment@monroecounty.gov). A **non-refundable** application fee of \$350.00 is required. Please see page 10 for additional information on costs and fees.

### I. APPLICANT

#### A. Applicant Information

Name: A50EB LLC  
 Address: P.O. Box 18554  
 City/State/Zip: Rochester N.Y. 14618  
 Tax Id No.: 84-50229763  
 Contact Name: Peter J. Landers  
 Title: Managing Member  
 Telephone: 585-738-1171  
 E-Mail: PeterLanders@Landersmgt.com

#### B. Applicant's Legal Counsel

Name: Mitchell Nusbaum, Esq.  
 Firm: Woods Oviatt Gilman LLP  
 Address: 1900 Bausch and Lomb Place  
 City/State/Zip: Rochester NY 14604  
 Telephone: 585-987-2874  
 Email: mnusbaum@woodsoviatt.com

#### C. Owners of Applicant Company (must total 100%). If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title
<u>Peter J. Landers</u>	<u>55</u>	<u>Managing Member</u>
<u>Rob Sands</u>	<u>25</u>	<u>Member</u>
<u>James Costanza</u>	<u>20</u>	<u>Member</u>
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## II. PROJECT

### A. Address of proposed project facility

50 East Broad Street

Rochester N.Y. 14604

Tax Map Parcel Number: 121.310-0001-0002.003 et al.

City/Town/Village: Rochester

School District: Rochester (261400)

Current Legal Owner of Property:

A50EB LLC

### C. Owners of User/Tenant Company (must total 100%)

If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title
Publicly traded corporation	100	

### B. Proposed User(s)/Tenant(s) of the Facility

If there are multiple Users/Tenants, please attach additional pages.

Are the user and owner related entities? ☐ Yes ☐ No

Company Name: Constellation Brands, Inc.

Address: 207 High Point Drive

City/State/Zip: Victor, NY 14564

Tax ID No: 16-0716709

Contact Name: Matt Stanton

Title: Senior Vice President of Public Affairs

Telephone: 202-549-0290

Email: matt.stanton@cbrands.com

% of facility to be occupied by user/tenant 100%

### D. Benefits Requested (Check all that apply)

- ☒ Sales Tax Exemption
- ☒ Mortgage Recording Tax Exemption
- ☒ Real Property Tax Abatement
- ☐ Industrial Revenue Bond Financing

### E. Description of project (check all that apply)

- ☐ New Construction
- ☒ Existing Facility
  - ☐ Acquisition
  - ☐ Expansion
  - ☒ Renovation/Modernization
- ☐ Acquisition of machinery/equipment
- ☐ Other (specify) \_\_\_\_\_

### DESCRIPTION OF THE PROJECT AND BACKGROUND ON USER(S) OF THE FACILITY

NAICS Code: \_\_\_\_\_

Constellation Brands, Inc. (Constellation), a Fortune 500 company with nearly 9 billion in sales is considering relocating its corporate headquarters from Victor, NY to Downtown Rochester. Constellation is considering sites both in and out of State for its new headquarters location. Economic incentives are required to make the relocation feasible.

Constellation's headquarters relocation to Rochester envisions 350 jobs which will include Executive Leadership, Human Resources, Finance, Legal, Communications, Marketing, Sales, and IT. This company has experienced 3% job growth yearly and expects to add up to 100 jobs over the next 5 years. This continued job growth, in addition to the potential job growth of an affiliate of Constellation makes this a compelling opportunity for the City of Rochester, Monroe County, and the State of NY moving forward.

The Landlord and Constellation will invest \$83M in renovating the historic Aqueduct buildings, which will include new prominent signage, windows, sustainable energy systems, and state-of-the-art access to broadband. This transformative project will be synergistic with the State/City's Rev the Riverway plans to create a vibrant riverfront that

## II. PROJECT (cont'd)

**F. Are other facilities or related companies located within New York State?**

☒ Yes ☐ No

Location:

207 High Point Dr., Victor, NY 14564

235 North Bloomfield Rd., Canandaigua, NY 14424

Will the Project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state? ☐ Yes ☒ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

☒ Yes ☐ No

If Yes to either question, explain how the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Applicant or User's competitive position in its respective industry:

Constellation's relocation to downtown Rochester is not economically feasible without financial assistance as the local and out of state alternatives are lower cost options.

**G. Would the project be undertaken without financial assistance from the Agency?**

☐ Yes ☒ No

Please explain why financial assistance is necessary.

Major economic incentives will be required to make the project cost neutral versus both local and out-of-state location options that Constellation is considering. Without incentives the project is not economically feasible.

Constellation is considering this major investment in downtown Rochester to demonstrate its commitment to revitalizing the City and the community. Constellation's relocation to downtown will further the City's goals of creating a more diverse, inclusive, and equitable community. This investment will be a beacon for attracting other Fortune 500 companies to invest in downtown Rochester and will leverage the revitalization efforts of the City, County, and State.

**H. Project Timeline**

Proposed Date of Acquisition: 3/20

Proposed Commencement Date of Construction: 10/21

Anticipated Completion Date: 12/23

**I. Contractor(s)**

To be determined

**J. State Environmental Quality Review (SEQR) Act Compliance**

COMIDA, in granting assistance to the Applicant, is required to comply with the New York State Environmental Quality Review Act (SEQR).

Does the proposed project require discretionary permit, license or other type of approval by the state or local municipality?

☒ YES - Include a copy of any SEQR documents related to this Project including Environmental Assessment Form, Final Determination, Local Municipality Negative Declaration, etc.

☐ NO

### III. PROPERTY TAX ABATEMENT/PAYMENT IN LIEU OF TAX AGREEMENT (PILOT)

Check One:

☐ **JOBSPPLUS**

Requirements:

- Applicant must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is \_\_\_\_\_.

☐ **LEASEPLUS**

Requirements:

- University and/or medical related facilities in which a 501(c)3 entity leases from a for-profit entity.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is \_\_\_\_\_.

☐ **ENHANCED JOBSPPLUS**

Requirements:

- A minimum \$15 million investment **AND**
- A minimum of 100 new jobs

☐ **GREEN JOBSPPLUS**

Requirements:

- LEED® Certification – Project must be rated as Certified, Gold, Silver or Platinum by the United States Green
- Building Council's Leadership in Energy and Environmental Design (LEED®) Green Building Rating System.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is \_\_\_\_\_.

☐ **SHELTER RENT**

For student housing or affordable housing projects.

☒ **Local Tax Jurisdiction Sponsored PILOT**

☐ **NO PROPERTY TAX ABATEMENT IS SOUGHT FOR THIS PROJECT**

#### IV. APPLICANT PROJECT COSTS

- A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipment of the project by the APPLICANT.

##### Building Construction or Renovation

- a. Materials a. \$ 31,238,650  
b. Labor b. \$ 26,000,000

##### Site Work

- c. Materials c. \$ 500,000  
d. Labor d. \$ 500,000  
e. Non-Manufacturing Equipment e. \$ \_\_\_\_\_  
f. Manufacturing Equipment f. \$ \_\_\_\_\_  
g. Furniture and Fixtures g. \$ \_\_\_\_\_  
h. Land and/or Building Purchase h. \$ 4,850,000  
i. Soft Costs (Legal, Architect, Engineering) i. \$ 1,600,000  
Other (specify) j. Other Costs j. \$ 2,260,451  
k. Carry Costs k. \$ 2,600,000  
l. Commission l. \$ 900,000  
m. \_\_\_\_\_ m. \$ \_\_\_\_\_

**Total Project Costs** \$ 70,449,101  
(must equal Total Sources)

- B. Sources of Funds for Project Costs:

- a. Tax-Exempt Industrial Revenue Bond a. \$ 0  
b. Taxable Industrial Revenue Bond b. \$ 0  
c. Bank Financing c. \$ 23,250,474  
d. Public Sources d. \$ \_\_\_\_\_  
e. \_\_\_\_\_ e. \$ \_\_\_\_\_

Identify each state and federal grant/credit

Federal Hist. Tax Credits \$ 8,295,050

NYS Historic Tax Credits \$ 5,000,000

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

- e. Equity \$ 33,903,577

**TOTAL SOURCES** \$ 70,449,101  
(must equal Total Project Costs)

- C. Has the applicant made any arrangements for the financing of this project

☒ Yes ☐ No

If yes, please specify bank, underwriter, etc.

Developer has several lenders ready to finance  
the development.

#### V. COMPLETE FOR EACH USER/TENANT THAT IS SEEKING SALES TAX EXEMPTIONS USER(S)/TENANT(S) PROJECT COSTS

Use additional sheets as necessary

Company Name Constellation Brands, Inc.

- A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement, and/or equipping of the project by the user(s)/tenant(s) from which a sales tax exemption is requested.

##### Estimated Costs Eligible for Sales Tax Exemption Benefit

- a. Materials a. \$ \_\_\_\_\_  
b. Labor b. \$ \_\_\_\_\_  
c. Non-Manufacturing Equipment c. \$ \_\_\_\_\_  
d. Manufacturing Equipment d. \$ \_\_\_\_\_  
d. Furniture and Fixtures d. \$ 6,991,655  
Other (specify): e. AV e. \$ 2,563,923  
f. IT f. \$ 1,835,467  
g. Security g. \$ 904,914  
h. \_\_\_\_\_ h. \$ \_\_\_\_\_

**Total Project Costs** \$ 12,295,959

## VI. Value of Incentives

Project name: **A50EB, LLC**

### A. IDA PILOT Benefits:

Current Land Assessment	984,100	Taxes on Land	45,082
Dollar Value of New Construction & Renovation Costs	58,238,650		
Estimated New Assessed Value of Project Subject to IDA	59,222,750		

County Tax rate/\$1,000	9.98
Local Tax Rate* Tax Rate/\$1,000	35.83
School Tax Rate /\$1,000	
Total Tax Rate	<u>45.81</u>

PILOT Year	% Abatement	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT Amount	Full Tax Payment w/o PILOT	Net Exemption
1	90%	59,104	212,195	0	271,299	2,758,076	2,441,695
2	90%	59,104	212,195	0	271,299	2,758,076	2,486,776
3	90%	59,104	212,195	0	271,299	2,758,076	2,486,776
4	90%	59,104	212,195	0	271,299	2,758,076	2,486,776
5	90%	59,104	212,195	0	271,299	2,758,076	2,486,776
6	90%	59,104	212,195	0	271,299	2,758,076	2,486,776
7	90%	59,104	212,195	0	271,299	2,758,076	2,486,776
8	80%	118,209	424,390	0	542,599	2,758,076	2,170,395
9	70%	177,313	636,585	0	813,898	2,758,076	1,899,096
10	60%	236,417	848,780	0	1,085,198	2,758,076	1,627,797
11	50%	295,522	1,060,976	0	1,356,497	2,758,076	1,356,497
12	40%	354,626	1,273,171	0	1,627,797	2,758,076	1,085,198
13	30%	413,730	1,485,366	0	1,899,096	2,758,076	813,898
14	20%	472,834	1,697,561	0	2,170,395	2,758,076	542,599
15	10%	531,939	1,909,756	0	2,441,695	2,758,076	271,299
Total		3,014,320	10,821,951	0	13,836,270	41,371,137	27,129,132

\* Local Tax Rate for Town/City/Village

### B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption:	<u>3,522,769</u>
Estimated duration of Sales Tax exemption:	<u>12/31/2023</u>

### C. Mortgage Recording Tax Exemption Benefit:

Estimated Value of Mortgage Recording Tax exemption:	<u>\$174,379</u>
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### D. Industrial Revenue Bond Benefit

IRB inducement amount, if required:	<u>\$0</u>
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### E. Percentage of Project Costs financed from Public Sector sources:

Total Value of Incentives:	<u>\$30,826,279.36</u>	<u>37.25%</u>
Sources of Funds (Section IV.B.)	<u>\$82,745,060.00</u>	

\*\* All estimates are based on current tax rates.

## VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: Constellation Brands, Inc.

Applicant: ☐ or User/Tenant: ☒

Applicant/Tenant creating jobs must submit most recent NYS-45 or equivalent.

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be <b>RETAINED</b>	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be <b>CREATED</b> upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	342	342	49	49
Part Time (PTE)				
Total	342.00	342.00	49.00	49.00

\*\* For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Labor Marker Area, in the fourth column. The Labor Marker Area includes: Monroe County, Orleans County, Genesee County, Wyoming County, Livingston County, Ontario County, Wayne County, Yates County, and Seneca County chosen at the Agency's discretion.

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## VIII. LOCAL LABOR

To be completed by all Applicants and Users/Tenants of Projects which include the construction of new, expanded or renovated facilities:

Company Name A50EB LLC and Constellation Brands, Inc.

Applicant: ☒ and/or User/Tenant: ☒

All project employees of the general contractor, subcontractor, or sub to a subcontractor (contractors) working on the project must reside within the following counties in the State of New York: Monroe, Genesee, Livingston, Ontario, Orleans, Seneca, Steuben, Wayne, Wyoming or Yates. The All-Local Labor criterion will be verified based on employment, payroll and related records.

COMIDA understands that at certain times local labor may not be available within the local area. Under this condition, applicants are required to complete a waiver request of the All-Local Labor requirement 45 days in advance of commencing work. Contractors do not have to be local companies as defined herein, but must employ local people to qualify under the All-Local Labor criterion.

The foregoing terms have been read, reviewed and understood by the Applicant or User/Tenant and all appropriate personnel. Furthermore, the undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialman. Furthermore, the undersigned agrees to post and maintain a sign, provided by COMIDA, in a prominent, easily accessible location, identifying the project as a recipient of COMIDA assistance and the local labor requirements associated with this assistance.

Furthermore, the undersigned realizes that failure to abide by the terms herein could result in COMIDA revoking all or any portion of benefits it deems reasonable in its sole discretion for any violation hereof.

A50EB LLC

(APPLICANT COMPANY)

Constellation Brands, Inc.

(TENANT COMPANY)

Arturo J. Sanchez Member 9/20/21  
Signature , Title Date

Thomas Keme CHRO 9/20/21  
Signature , Title Date



## IX. FEES

Transaction Type	Fees
Lease/Leaseback including any/all of the following: 1. PILOT Agreement 2. Sales and Tax Exemption 3. Mortgage Tax Exemption	Application Fee: Non-refundable \$350.00 IDA Fee: 0.75% of the total project cost Legal Fee: 0.33% of the IDA fee. Minimum fee of \$4,000.
Sales Tax Exemption* and/or Mortgage Recording Tax Exemption	Application Fee: Non-refundable \$350.00 IDA Fee: 0.50% of the total project cost Legal Fee: 0.33% of the IDA fee. Minimum fee of \$750
Bond: Taxable or Tax-Exempt with Lease/Leaseback Including any/all of the following: 1. PILOT Agreement 2. Sales Tax Exemption 3. Mortgage Tax Exemption	Application fee: Non-refundable \$350 IDA Fee: 1.25% of the total project cost Legal Fee: 0.33% of IDA fee Designated Bond Counsel fee is based on the complexity and amount of the transaction
Bond: Taxable or Tax-Exempt	Application fee: Non-refundable \$350 IDA Fee: 1.00% of the total project cost Legal fee: 0.33% of the IDA fee Designated Bond Counsel fee is based on the complexity and amount of the transaction.

If the sales tax benefits are required prior to closing, a non-refundable twenty-five percent (25%) of the IDA fee and Legal fees are payable at that time. This amount will be applied towards the IDA fee and Legal fee.

ASOEB LLC

(APPLICANT COMPANY)

Ante J. Sanders Member 9/20/21  
Signature , Title Date

Constellation Brands, Inc.

(TENANT COMPANY)

Thomas Kane CHRO 9/20/21  
Signature , Title Date

## X. CERTIFICATION

The undersigned company officer and/or user/tenant officer each hereby certifies, on behalf of the company and/or user/tenant, respectively (each singularly and together, the "Applicant"), as follows:

- A. The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentation made in this Application constitutes an act of fraud, resulting in revocation of COMIDA benefits.
- B. The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which have ownership of the Applicant are current and will remain current on all real property, federal, state, sales, income and withholding taxes throughout the term of any agreements made in connection with this Application.
- C. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:  
§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- D. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- E. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- F. Recapture: Should the Applicant not expend as projected or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- G. Pay Equity: The Applicant and/or user/tenant officer certifies on behalf of the company and/or user/tenant (the Applicant) has not been the subject of an adverse finding under the equal pay laws within the previous five years, has disclosed any pending equal pay claims against the company at time of application, and shall disclose to COMIDA any pending claims or adverse findings under the equal pay laws during the term of COMIDA financial assistance agreement.
- H. Applicant hereby releases the COMIDA ("Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, this Application, regardless of whether or not this Application or the Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, renovation and/or equipping of the Project described herein; and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.

### APPLICANT COMPANY

HA 50EB LLC  
Detu J. Saadees Member 9/30/21  
Signature, Title Date

### TENANT COMPANY

Constellation Brands, Inc.  
Thomas Kane CHRO 9/30/21  
Signature, Title Date

Constellation Brands, Inc. (Constellation), a Fortune 500 company with nearly 9 billion in sales is considering relocating its corporate headquarters from Victor, NY to Downtown Rochester. Constellation is considering sites both in and out of State for its new headquarters location. Economic incentives are required to make the relocation feasible.

Constellation's headquarters relocation to Rochester envisions 350 jobs which will include Executive Leadership, Human Resources, Finance, Legal, Communications, Marketing, Sales, and IT. This company has experienced 3% job growth yearly and expects to add up to 100 jobs over the next 5 years. This continued job growth, in addition to the potential job growth of an affiliate of Constellation makes this a compelling opportunity for the City of Rochester, Monroe County, and the State of NY moving forward.

The Landlord and Constellation will invest \$83M in renovating the historic Aqueduct buildings, which will include new prominent signage, windows, sustainable energy systems, and state-of-the-art access to broadband. This transformative project will be synergistic with the State/City's Roc the Riverway plans to create a vibrant riverfront that will connect the downtown community and attract visitors.

Constellation's new prominent signage at the top of the Aqueduct building will demonstrate its commitment to the City and will be a beacon for attracting other Fortune 500 companies to invest in the revitalization of downtown Rochester. The ownership and Constellation are excited about what the City, County, and State have already done in attracting new investment downtown and are even more excited about Constellation being a part of this.

Building and garage construction is anticipated to commence in October 2021 with completion in June 2023. Constellation plans to take occupancy on December 1, 2023.



August 25, 2021

Ana J. Liss, Executive Director  
County of Monroe Industrial Development Agency (COMIDA)  
50 West Main Street, Suite 8100  
Rochester, New York 14614

Re: The Aqueduct Building – 50 E. Broad Street, Rochester – Special Payment in Lieu of  
Taxes (PILOT) Support Letter

Dear Ms. Liss:

The City of Rochester (the “City”) is pleased to provide this letter of support for the project proposed by A50EB LLC (the “Building Owner”) and Project Mercury (“Project Mercury”, and collectively with the Building Owner, the “Company”) to renovate and occupy the Aqueduct Building at various addresses adjoining and including 50 E. Broad Street in Rochester. I understand that the Company anticipates an investment of approximately \$82 million in renovation costs to this 162,000 square foot property located in the city’s downtown. Once complete, Project Mercury will relocate 340 existing jobs to this site and commits to the creation of 82 additional jobs over five years also at this location.

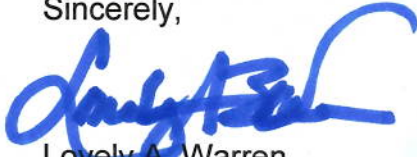
On behalf of the City, I would like to express my written support of the Application for Assistance submitted to COMIDA by the Company for its redevelopment of the Aqueduct Building, that would provide exemption on real property taxes for an annual in-lieu of taxes payment based on the following modified schedule:

<u>Year</u>	<u>% Exempt</u>
1	90%
2	90%
3	90%
4	90%
5	90%
6	90%
7	90%
8	80%
9	70%
10	60%
11	50%
12	40%
13	30%
14	20%
15	10%



The City understands that the exemption will apply only to the added value attributable to the renovation and will expire at the end of the fifteenth year when the property will return to full taxable status.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lovely A. Warren', is written over the typed name.

Lovely A. Warren  
Mayor

cc: Gary Kirkmire, Commissioner of Neighborhood and Business Development  
Dana Miller, Deputy Commissioner of Neighborhood & Business Development  
Lydia Birr, Monroe County Economic Development  
Peter Landers, A50EB LLC

August 24, 2021

Ana Liss  
Director, Monroe County Department of Planning & Development  
Executive Director, MCIDC & COMIDA  
1150 City Place  
50 W. Main St.  
Rochester, NY 14614

Dear Ana,

It is my pleasure to offer this letter of support for “Project Mercury.” This project will relocate 350 employees to the Aqueduct in Downtown Rochester by December 2023, and add up to 82 new employees over 5 years. The total investment by the project owner and the developer is approximately \$82 million.

Project Mercury’s presence in Downtown Rochester would be a boon for the urban core. Project Mercury aims to complement existing City and State investments in ongoing initiatives like ROC the Riverway Broad Street and Promenade. Such investment is exactly what our City needs to realize its full potential.

By way of this letter, and on behalf of Greater Rochester Chamber’s 1300 members, I respectfully ask consideration for extending to Project Mercury their requested custom PILOT and sales tax exemption.

We stand ready to assist in any way that we can to see this project through to fruition, and we look forward to continuing to be a full partner once it is completed.

Thank you for your kind consideration of this request.

Sincerely,



Bob Duffy  
President and CEO





August 23, 2021

Ana Liss  
Executive Director  
County of Monroe Industrial Development Agency  
50 West Main Street  
Rochester, New York 14614

Dear Ana:

I am writing on behalf of Greater Rochester Enterprise to support Landers Management proposal for redevelopment of the Aquaduct building in downtown Rochester.

As you know, Greater Rochester Enterprise (GRE) is an economic development organization working to attract new capital investments, wealth and jobs in the Greater Rochester, New York region. GRE works with corporate and community leaders to support business growth throughout the area.

The successful redevelopment of the Aquaduct building, including more than \$80 million of capital investment would leverage ROC the Riverway investments from the City of Rochester and State of New York. This project builds on recent business and residential developments in the city center and brings the potential for additional business and job growth which could further the transformation of downtown Rochester.

Thank you for consideration of support for the Aquaduct redevelopment project and associated business growth and job opportunities.

Please feel free to call me directly at 585.530.6208 with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matt Hurlbutt', written in a cursive style.

Matt Hurlbutt  
President & CEO



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**www.rochesterdowntown.com**

August 25, 2021

Ms. Ana Liss  
Executive Director  
COMIDA  
50 West Main Street  
Rochester, NY 14614

***/RE: AQUEDUCT DISTRICT, 2021 COMIDA Application/***

Dear Ana,

Without hesitation, RDDDC very strongly supports the COMIDA application for the Aqueduct District project submitted by Peter Landers, Jim Costanza, and Rob Sands.

The proposed major corporate headquarters location on this site is enormous for two key reasons: (1) bringing 350 employees and a vibrant reuse will rejuvenate six empty buildings; and (2) this delivers a highly visible vote of confidence to other companies about downtown and the urban marketplace. The plan to add 82 more employees in this location over the next five years is also significant.

Even with \$2.48 billion invested downtown over the past 20 years, investments on the west side of the river have lagged. And the value of this investment is expected to total \$82 million, which will grow the urban and downtown tax base significantly. This project will also both leverage and anchor the more than \$50 million in State and City funding for the Roc the Riverway (RTR) projects, creating rare synergy and encouraging further private investment on downtown's riverfront. The plans to transform the Broad Street Aqueduct and the east side of the Blue Cross Arena are directly adjacent to this project, and all three combined will create an exciting new center of activity the city.

The strength of this development team is also worth noting, giving great optimism about the design and treatment for rejuvenation of this complex of historic and beautiful buildings.

Frankly, this is one of the most exciting downtown projects in my 37 years at RDDDC. It will be truly game-changing for this community. For all the above reasons, RDDDC enthusiastically supports COMIDA's approval of this project.

Sincerely,

A handwritten signature in black ink, reading 'Heidi N. Zimmer-Meyer', is written over a horizontal line.

Heidi N. Zimmer-Meyer  
President

**ROCHESTER DOWNTOWN DEVELOPMENT CORPORATION**





Ana Liss, Executive Director  
Monroe County Industrial Development Agency  
50 West Main Street, Suite 1150  
Rochester, NY 14614

RE: Aqueduct Redevelopment Application

Executive Director Liss,

I am pleased to submit this letter of support on behalf of the proposed redevelopment of The Aqueduct in Downtown Rochester. The project promises to create significant economic benefit in the heart of Monroe County and downtown, locating a leading company at the site and revitalizing a landmark and strategically-located property along our riverway.

The project will enable the build-out space of a major employer in downtown, adding 350 employees to our Central Business District (and growing to more than 400 over the next five years). The company and the developer are planning an \$82 million investment that would transform and activate the property into a world-class corporate headquarters.

These tangible benefits leverage ongoing (and planned) investments by the State and City in the ROC the Riverway Broad Street and Promenade projects. Moreover, the impact of one of the region's most prominent corporations making a significant investment downtown cannot be overstated. This would serve to accelerate redevelopment momentum we have already seen in Rochester in recent years. According to our partners at Rochester Downtown Development Corporation, more than a half-billion dollars in development projects are currently in process in Rochester, and more than \$90 million in planned projects are under consideration – not including the proposed Aqueduct redevelopment. With over 8,400 people living downtown already and a dozen housing developments in the pipeline, RDDC expects another 1,500 downtown residents over the next few years. This momentum is hardly an aberration – indeed, more than \$2.35 billion has been invested in downtown over the past 20 years.

This project offers a unique opportunity to activate a landmark property, leverage significant public investment in the riverway, and welcome hundreds of employees to downtown – all in partnership with a major company that has deep roots in our region. I strongly support its application to COMIDA.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Stefko", written over a horizontal line.

Joseph Stefko  
President and CEO

## Cost-Benefit Analysis for A50EB, LLC

Prepared by COMIDA using InformAnalytics

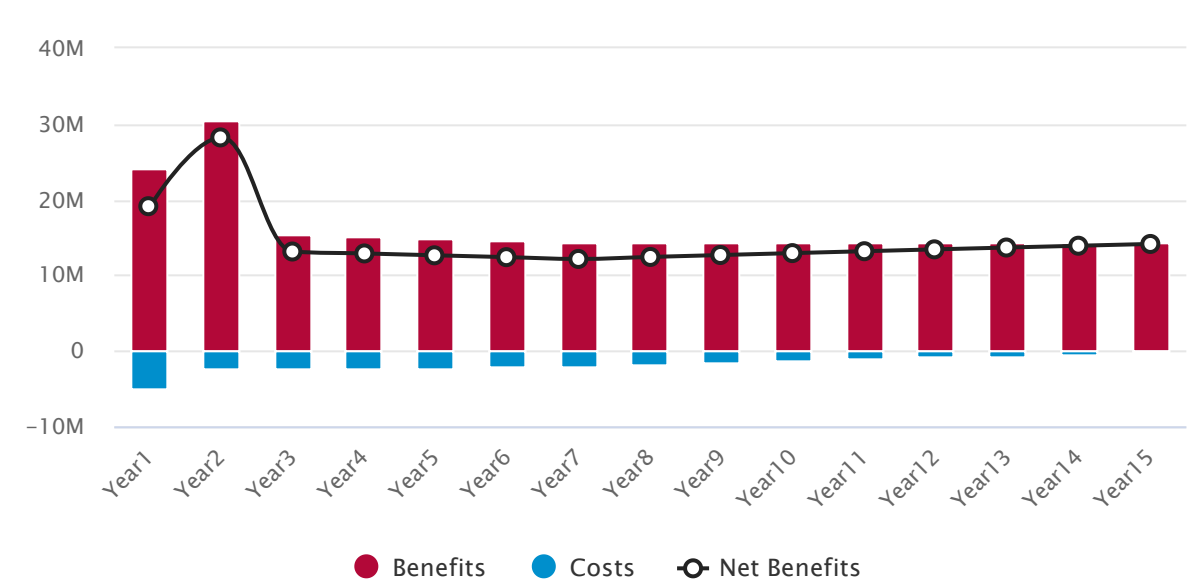
# Executive Summary

INVESTOR	TOTAL JOBS	TOTAL INVESTED	LOCATION	TIMELINE
A50EB, LLC	227 Ongoing; 573 Temporary	\$82.7 Million	50 East Broad Street, Rochester, NY 14694	15 Years

F1 FIGURE 1

Discounted\* Net Benefits for A50EB, LLC by Year

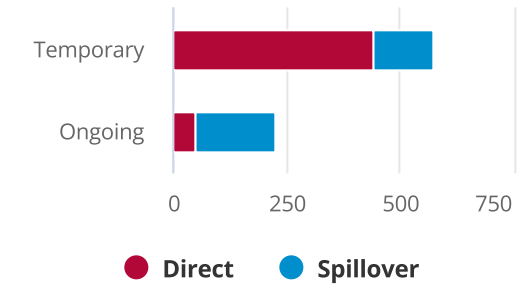
Total Net Benefits: \$216,692,000



Discounted at 2%

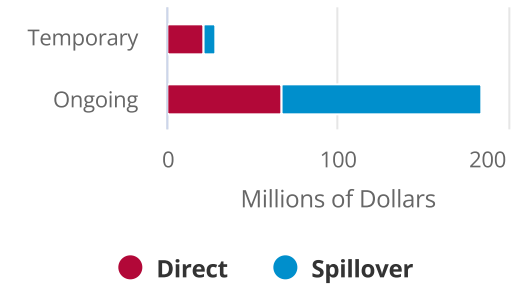
F2 FIGURE 2

Total Jobs



F3 FIGURE 3

Total Payroll



# Proposed Investment

A50EB, LLC proposes to invest \$82.7 million at 50 East Broad Street, Rochester, NY 14694 over 15 years. COMIDA staff summarize the proposed with the following: Renovation of vacant building

T1 TABLE 1

Proposed Investments

Description	Amount
CONSTRUCTION SPENDING	
Acqueduct landlord	\$58,239,000
Acqueduct tenant	\$0
OTHER SPENDING	
Land	\$4,850,000
FF&E	\$6,992,000
AV	\$2,564,000
IT	\$1,835,000
Soft Costs	\$1,600,000
Other Costs	\$2,260,000
Carry Costs	\$2,600,000
Commission	\$900,000
Security	\$905,000
Total Investments	\$82,745,000
Discounted Total (2%)	\$82,174,000

May not sum to total due to rounding.

F4 FIGURE 4

Location of Investment



# Cost-Benefit Analysis

A cost-benefit analysis of this proposed investment was conducted using InformAnalytics, an economic impact model developed by CGR. The report estimates the impact that a potential project will have on the local economy based on information provided by COMIDA. The report calculates the costs and benefits for specified local taxing districts over the first 15 years, with future returns discounted at a 2% rate.

T2 TABLE 2

### Estimated Costs or Incentives

COMIDA is considering the following incentive package for A50EB, LLC.

Description	Nominal Value	Discounted Value*
Property Tax Exemption	\$25,010,000	\$22,459,000
Sales Tax Exemption	\$3,523,000	\$3,523,000
Mortgage Recording Tax Exemption	\$174,000	\$174,000
Total Costs	\$28,707,000	\$26,156,000

May not sum to total due to rounding.  
\* Discounted at 2%

T3 TABLE 3

**State & Regional Impact (Life of Project)**

The following table estimates the total benefits from the project over its lifetime.

Description	Direct	Spillover	Total
<b>REGIONAL BENEFITS</b>	<b>\$114,318,000</b>	<b>\$142,779,000</b>	<b>\$257,097,000</b>
<b>To Private Individuals</b>	<b>\$99,235,000</b>	<b>\$141,024,000</b>	<b>\$240,259,000</b>
Temporary Payroll	\$21,478,000	\$6,795,000	\$28,273,000
Ongoing Payroll	\$77,757,000	\$134,229,000	\$211,986,000
<b>To the Public</b>	<b>\$15,083,000</b>	<b>\$1,755,000</b>	<b>\$16,838,000</b>
Property Tax Revenue	\$13,365,000	N/A	\$13,365,000
Temporary Sales Tax Revenue	\$267,000	\$85,000	\$352,000
Ongoing Sales Tax Revenue	\$967,000	\$1,670,000	\$2,638,000
Purchases Sales Tax Revenue	\$483,000	N/A	\$483,000
<b>STATE BENEFITS</b>	<b>\$7,320,000</b>	<b>\$8,571,000</b>	<b>\$15,890,000</b>
<b>To the Public</b>	<b>\$7,320,000</b>	<b>\$8,571,000</b>	<b>\$15,890,000</b>
Temporary Income Tax Revenue	\$962,000	\$326,000	\$1,288,000
Ongoing Income Tax Revenue	\$4,609,000	\$6,459,000	\$11,068,000
Temporary Sales Tax Revenue	\$272,000	\$86,000	\$358,000
Ongoing Sales Tax Revenue	\$985,000	\$1,700,000	\$2,685,000
Purchases Sales Tax Revenue	\$492,000	N/A	\$492,000
<b>Total Benefits to State &amp; Region</b>	<b>\$121,638,000</b>	<b>\$151,349,000</b>	<b>\$272,987,000</b>
<b>Discounted Total Benefits (2%)</b>	<b>\$110,394,000</b>	<b>\$132,454,000</b>	<b>\$242,849,000</b>

**May not sum to total due to rounding.**

T4 TABLE 4

Benefit to Cost Ratio

The following benefit to cost ratios were calculated using the discounted totals.

Description	Benefit*	Cost*	Ratio
Region	\$228,772,000	\$24,321,000	9:1
State	\$14,077,000	\$1,835,000	8:1
Grand Total	\$242,849,000	\$26,156,000	9:1

May not sum to total due to rounding.  
\* Discounted at 2%

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