

Public Authorities Accountability Act of 2005

Filed pursuant to and in accordance with Subdivision (1) of Section 2800 of the Public  
Authorities Law:

**Annual Report**  
**2009**

**Albany Convention Center Authority  
2009 Annual Report**

**1.) Operations and Accomplishments in 2009**

The Albany Convention Center Authority (“ACCA”) was created on September 21, 2004 by the enactment of Title 28-BB of the Public Authorities Law (Chapter 468 of the Laws of 2004). The general purpose of the ACCA is to design, develop, plan, finance, create, site, construct, renovate, administer, operate, manage, and maintain a convention facility located in the City of Albany (the “Project”).

Operations and accomplishments in 2009 are as follows:

- Negotiated a contract with the architectural firm in January selected through an RFP process in 2008
- Commissioned a consolidated survey of the site area with the engineering firm that was part of the master planning team
- Prepared a stimulus request in March and April for state consideration to be included in a federal request
- Met with Office of Parks, Recreation and Historical Preservation (OPRHP) to confirm the Phase 1B archeological scope
- Updated scope and timing schedule for Phase 1B archeology study with the firm selected as part of the master planning team
- Held Open House in August to solicit the public comments on new images of the convention center design
- Updated Construction Manager advisor contract to reflect new scope in July
- Successfully negotiated and purchased two pieces of property key to the convention center project
- Contracted for an updated market study completed in October
- Unveiled new convention center images and cost estimate at the monthly board meeting in November
- Presented an updated “Facilities Plan” to the board in November, originally adopted by board resolution as required by the ACCA’s Enabling Legislation

The ACCA received a second grant for \$10 million in 2009 approved by Governor David Patterson and administered by the Empire State Development Corporation (ESDC). The grant is being used for certain expenses associated with the project as approved by ESDC. Those include:

- Land acquisition
- Archeology, historical conservation and environmental remediation
- Preconstruction and site planning
  - Project management
  - Phase 1B environmental investigation
  - Survey/title updates/appraisals
  - Architectural renderings/schematics
  - Program Review
  - Cost estimating

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**2009 AUDITED FINANCIAL STATEMENTS**

**2.) Assets and Liabilities**

	<u>December 31, 2009</u>	<u>December 31, 2008</u>	<u>\$ Change</u>
<b>ASSETS</b>			
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	\$ 1,258,962	\$ 1,369,333	\$ (110,371)
Accounts and grant receivable	519,696	-	519,696
Interest receivable	-	8,354	(8,354)
Due from Albany County (Occ Tax)	132,763	278,178	(145,415)
Prepaid expenses and other	10,160	10,425	(265)
Total current assets	<u>1,921,581</u>	<u>1,666,290</u>	<u>255,291</u>
<b>NON-CURRENT ASSETS</b>			
Capital assets, net of accumulated depreciation	<u>3,835,406</u>	<u>2,024,370</u>	<u>1,811,036</u>
Total assets	<u><u>\$ 5,756,987</u></u>	<u><u>\$ 3,690,660</u></u>	<u><u>\$ 2,066,327</u></u>
<b>LIABILITIES</b>			
Accounts payable	168,251	48,760	119,491
Accrued wages and employee benefits	<u>35,684</u>	<u>38,390</u>	<u>(2,706)</u>
Total current liabilities	<u>203,935</u>	<u>87,150</u>	<u>116,785</u>
<b>NET ASSETS</b>			
Total liabilities and net assets	<u><u>\$ 5,756,987</u></u>	<u><u>\$ 3,690,660</u></u>	<u><u>\$ 2,066,327</u></u>

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**3.) Receipts and Disbursements**

	<u>January - December 2009</u>	<u>January - December 2008</u>	<u>\$ Change</u>
Revenues	\$ -	\$ -	\$ -
Expenses			
Salary and wages	212,604	258,298	(45,694)
Fringe benefits	52,757	58,680	(5,923)
Office expense	40,664	46,427	(5,763)
Occupancy costs	44,912	42,056	2,856
Professional fees	42,916	26,968	15,948
Depreciation expense	4,500	4,500	-
Total expenses	<u>398,353</u>	<u>436,929</u>	<u>(38,576)</u>
Operating loss	<u>(398,353)</u>	<u>(436,929)</u>	<u>38,576</u>
Non-operating items			
Grant revenues	2,120,636	575,441	1,545,195
Hotel tax	213,856	1,091,418	(877,562)
Interest income	13,403	19,775	(6,372)
Total non-operating income	<u>2,347,895</u>	<u>1,686,634</u>	<u>661,261</u>
Change in net assets	1,949,542	1,249,705	699,837
Total net assets beginning of year	<u>3,603,510</u>	<u>2,353,805</u>	<u>1,249,705</u>
Total net assets end of year	<u>\$ 5,553,052</u>	<u>\$ 3,603,510</u>	<u>\$ 1,949,542</u>

**4.) Schedule of Bonds and Notes Outstanding**

There are no bonds or notes outstanding as of December 31, 2009

**5.) Compensation Schedule of Officers, Directors or Employees in a Decision Making or Managerial Position with a Salary in excess of \$100,000.**

a.) Executive Director/CEO

**6.) Projects Undertaken**

Pursuant to its enabling legislation, the general purpose of the ACCA is to design, develop, plan, finance, create, site, construct, renovate, administer, operate, manage, and maintain a convention facility located in the City of Albany.

The ACCA developed a new Convention Center Project concept plan in late 2008 which significantly reduces the cost to the taxpayer while maintaining its mission to build a 296,550 square foot convention facility within the City of Albany. The plan separates the convention facility, parking garage and hotel into three distinct elements. During 2009, the

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ACCA proceeded in its efforts toward only constructing the convention center facility creating the opportunity for private development of the hotel and parking garage. Segmenting the convention center project into three distinct elements significantly reduces overall cost by simplifying construction, while providing for privately developed hotel and parking structures along Broadway.

The new concept plan follows Governor Paterson's initiative to reduce State spending on important capital projects by encouraging private investment in publicly sponsored projects, and is consistent with the adopted master plan, the findings of the SEQRA environmental impact statement and the HVS market study.

Other projects in 2009 included presenting new convention center images and the other items mentioned in Section 1 above, and negotiating and purchasing Real Property as indicated below.

**7.) Listing of all Real Property Having a Fair Market Value in Excess of \$15,000.**

- .50 acre of Real Property with a fair market value of \$469,673
- .39 acre of Real Property with a fair market value of \$435,000

**8.) Code of Ethics**

See attached

**9.) Assessment of Internal Control Structure and Procedures**

Our independent auditor found no material weakness in the Internal Control Structure and Procedures during the 2009 Audit.

I hereby certify the foregoing report is accurate to the best of my knowledge, based on the audited financial records of the Albany Convention Center Authority.

Gavin Donohue  
Chair