



# Monroe County Legislature

**PAUL E. HANEY**  
LEGISLATOR - DISTRICT 23

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May 12, 2008

To the Honorable  
Monroe County Legislature  
39 West Main Street  
Rochester, New York 14614

**Re: Renaissance Square Legislative Review Panel**

Honorable Legislators:

On February 10, 2008, members of the Democratic Caucus submitted a proposal calling for the creation of a bi-partisan panel to review the status of the Renaissance Square Project. It was rejected by the President of the Legislature because the County Attorney opined that the Legislature has no authority to review the activities of a local development corporation such as the Main and Clinton Development Corporation.

We respectfully disagree and hereby renew our request to convene a bi-partisan panel to review the County's supervision of the Renaissance Square Project. The County's involvement, detailed in the Management Services Agreement dated July 1, 2004 and in other documents, includes:

- The President of the Main Clinton Development Corporation is and has been a County employee who is on the payroll of the County of Monroe. Surely, this Legislature has the authority to review activities of its employees.
- The Agreement states (Section 6) that all the letters, documents, reports and other data developed during the period of the Agreement (which apparently was from July 1, 2004 to February 8, 2008) are the joint property of the County, RGRTA and the LDC. Because all of these items are County property, surely this Legislature has a right to review them.
- Exhibit I to the Agreement provides that the County will hold and disburse all funds related to the Project and provide all related financial and accounting services. The County's Director of Finance has acted as the fiscal agent for the project. Surely this



Legislature has oversight authority and responsibility for the County's Finance Department and its holding and disbursing of funds.

Furthermore, Section 12 of the Agreement clearly authorizes oversight of the Project by "any regulatory body with jurisdiction over such other party" to the Agreement when it says:

"Each party will permit the other parties and each of such other party's auditors and any regulatory body with jurisdiction over such other party, on reasonable prior notice, to inspect the party's books and records pertaining to this Agreement and the Project and to make copies of such books and records."

This Legislature is a regulatory body with jurisdiction over the County government and its activities. We were elected to serve in this capacity by the residents and taxpayers of Monroe County. Clearly stated under section C2-6(C)(5) of the Monroe County Charter the County Legislature has a duty to "investigate the official conduct and the accounts, receipts, disbursements, bills and affairs of any County or town office or officer and of any special or public district which includes any of the territory of the County, and for these purposes obtain professional and technical advice, appoint temporary advisory boards of citizens, subpoena witnesses, administer oaths and require the production of books, papers and other evidence."

In addition, lest anyone believe that the Revised Agreements entered into in March of 2008 which apparently transferred the management of the Project from the County to RGRTA as of February 8, 2008 cancelled the rights of the Legislature to monitor this project, we would refer them to paragraph 10 of said Revised Agreement which repeats and maintains such rights when it states:

"RGRTA will permit the other parties and each of such other party's auditors and any regulatory body with jurisdiction over such other party, on reasonable prior notice, to inspect the books and records pertaining to this Agreement and the Project and to make copies of such books and records at such party's expense."

Clearly, the County Legislature has the authority to oversee and monitor this project.

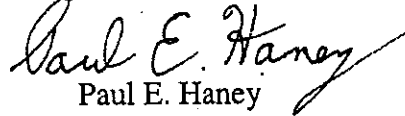
Furthermore, the County is contractually obligated to pay 66.67% of the local share of all costs incurred in this Preliminary Design Phase of the Project which is about to enter its fifth year. The local share is 10% of the costs so the County's share is 6.667% of the total Preliminary Design Phase costs. The Revised Agreement estimates these Preliminary Design Phase costs at \$12,036,500. Thus the County is obligated to pay \$802,473.46 for this Preliminary Design Phase. This Legislature has the right and obligation to monitor and review the expenditure of over \$800,000 of County funds.

Therefore, in the spirit of openness and transparency, and to alleviate public concern about the Renaissance Square Project, we propose that the Monroe County Legislature exercise its oversight duties with respect to the activities of Monroe County and its

employees relative to the Renaissance Square Project and create the Renaissance Square Legislative Review Panel. Such panel shall have eight (8) members, four (4) legislators to be appointed by the Majority Leader and four (4) legislators by the Minority Leader.

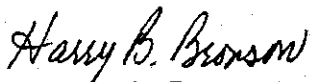
This proposal shall take effect within the monthly legislative cycle following its adoption, and will have no impact on the revenues and expenditures of the 2008 Monroe County Budget.

Respectfully submitted,



Paul E. Haney

Legislator - District 23



Harry B. Bronson

Democratic Minority Leader



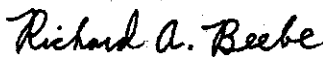
Carrie M. Andrews

Assistant Minority Leader



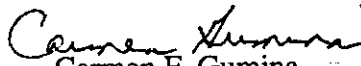
Calvin Lee, Jr.

Assistant Minority Leader



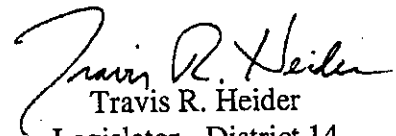
Richard A. Beebe

Legislator - District 6



Carmen F. Gumina

Legislator - District 8



Travis R. Heider

Legislator - District 14



Vincent Esposito

Legislator - District 16




Ted O'Brien

Legislator - District 17



Glenn J. Gamble

Legislator - District 22



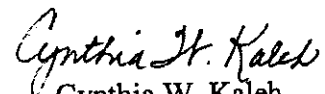
C. Stephen Eckel

Legislator - District 26



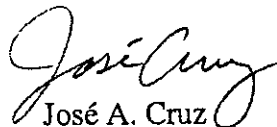
Willie Joe Lightfoot

Legislator - District 27



Cynthia W. Kaleh

Legislator - District 28



José A. Cruz

Legislator - District 29