

**Minutes of the Meeting
of the
Board of Directors
Buffalo Urban Development Corporation
Highmark Building—Heritage Conference Room
257 W. Genesee Street
Buffalo, New York 14202
February 28, 2023
12:00 p.m.**

1.0 Call to Order

Directors Present:

Catherine Amdur
Trina Burruss
Janique S. Curry
Darby Fishkin
Dottie Gallagher
Thomas Halligan
Thomas A. Kucharski
Nathan Marton
Brendan R. Mehaffy
Kimberley A. Minkel
Dennis M. Penman (Vice Chair)
Darius G. Pridgen

Directors Absent:

Hon. Byron W. Brown (Chair)
Scott Bylewski
Daniel Castle
Dennis W. Elsenbeck
Elizabeth Holden
David J. Nasca
Karen Utz

Officers Present:

Brandye Merriweather, President
Rebecca Gandour, Executive Vice President
Mollie M. Profic, Treasurer
Kevin J. Zanner, Secretary
Atiqa Abidi, Assistant Treasurer

Others Present: Cristina Cordero, Gardiner and Theobald (via Zoom); Jonathan Epstein, *The Buffalo News*; Zaque Evans, Senior Economic Development Specialist, Erie County Executive's Office; Alexis M. Florczak, Hurwitz Fine P.C.; Soma Hawramee, ECIDA Compliance Officer; Brian Krygier, Director of IT, ECIDA; Kelly Maloney, Gilbane Building Company; and Antonio Parker, BUDC Project Manager.

Roll Call – The meeting was called to order at 12:09 p.m. by Vice Chair Penman. The Secretary called the roll and a quorum of the Board was determined to be present. Mr. Pridgen joined the meeting during the presentation of item 3.2 and left the meeting during the presentation of item 4.3. Ms. Curry joined the meeting during the presentation of item 4.4.

2.0 Reading of the Minutes – The minutes of the January 31, 2023 meeting of the Board of Directors were presented. Ms. Gallagher made a motion to approve the meeting minutes. The motion was seconded by Ms. Amdur and unanimously carried (10-0-0).

3.0 Monthly Financial Reports – Ms. Profic reported that the field work for the 2022 audit has been completed by Freed Maxick and draft reports are expected by the end of the week. Draft financial

statements will be presented at the March 9th Audit & Finance Committee meeting and to the Board at its March 28th meeting.

Ms. Profic then presented for information purposes the financial statements for 683 Northland Master Tenant, LLC for the period ending January 31, 2023. She next presented the consolidated financial statements for BUDC and its affiliates, 683 Northland LLC and 683 WTC, LLC for the period ending January 31, 2023. Following the presentation, BUDC staff addressed questions relating to the interest rate on the BUDC line of credit and whether data is available regarding the time spent by BUDC staff on various BUDC projects. There being no further questions, Mr. Halligan made a motion to accept the BUDC consolidated financial statements. The motion was seconded by Mr. Mehaffy and unanimously carried (11-0-0).

4.0 New Business

4.1 Appointment of Karen Utz to BUDC Downtown Committee – Ms. Merriweather reported that Ms. Burruss has stepped down from the Downtown Committee due to time commitments associated with her new position as CEO of the United Way, and she thanked Ms. Burruss for her service on the Committee. Ms. Burruss then made a motion to appoint Ms. Utz to the BUDC Downtown Committee. The motion was seconded by Ms. Minkel and unanimously carried (11-0-0).

4.2 Ralph C. Wilson, Jr. Centennial Park – GLC Grant Agreement #4 – Ms. Gandour presented her February 28, 2023 memorandum regarding the fourth Great Lakes Commission (GLC) grant funding agreement. Following the presentation, Mr. Pridgen made a motion to: (i) approve the acceptance by BUDC of an approximately \$9.8 million grant from the Great Lakes Commission in support of Phase 1 construction on inlet and shoreline elements at Ralph C. Wilson, Jr. Centennial Park; (ii) authorize BUDC to enter into a subgrant agreement with the City of Buffalo to allow BUDC to move funds to the City for the shoreline construction, and to pass through the federal grant obligations in the GLC Grant Agreement; and (iii) authorize the BUDC President or Executive Vice President to execute the GLC Grant Agreement and subgrant agreement with the City of Buffalo in order to pass through the funding and grant obligations and take such other actions as are necessary or appropriate to implement this authorization. The motion was seconded by Ms. Fishkin and unanimously carried (11-0-0).

4.3 Waterfront/Ralph C. Wilson, Jr. Centennial Park Project Update – Ms. Maloney presented an update regarding the Ralph C. Wilson, Jr. Centennial Park Project. Remaining bid packages have been released to bid as of today, which include miscellaneous metals, comfort stations, site utilities and landscaping work packages. Numbers for the bridge fabrication work have been received and are being finalized. Gilbane’s contract negotiations with the City on the project labor agreement and construction manager at risk agreement are progressing. Construction is anticipated to start in May, and Gilbane is currently reviewing funding aspects with the project’s various grant sources to ensure that necessary contract provisions are included in bids and procurement packages.

4.4 BBRP/Buffalo’s Race for Place Project Update – Ms. Merriweather presented an update regarding Buffalo’s Race for Place. BUDC and the Office of Strategic Planning are working on a number of initiatives within the City’s central business district, including the Smart Streets Design Plan with Stantec and the Inner Harbor and Waterfront Public Realm Plan with MIG. Teams from Stantec and MIG are currently in Buffalo and attending strategy meetings and focus groups regarding their respective projects. Representatives from MIG have reached out to BUDC Board members for one-on-one meetings. On March 1st, a joint public meeting with Mayor Brown, BUDC, Office of Strategic Planning, MIG and Stantec will take place at Seneca One. The Office of Strategic Planning released the results of its 2022 Development Report showing that since 2012, there has been nine billion dollars in investment in the City of Buffalo.

4.5 Northland Beltline Corridor - Project Update – Ms. Gandour presented the Northland Beltline Corridor update. The selection committee for the Northland Phase 3 request for proposals (RFP) for architectural and engineering services interviewed three firms. Staff is currently preparing a recommendation which will be presented to the Real Estate Committee at its March 21st meeting. The Brookings Institute has selected Buffalo’s Build Back Better project as one of five communities being highlighted as receiving funding from the Economic Development Administration. Ms. Gandour also reported that SparkCharge notified BUDC that the company has selected another property to lease and will not be moving forward with leasing Building A at 612 Northland. The building is being actively marketed.

4.6 Buffalo Lakeside Commerce Park – Project Update – Ms. Gandour presented an update regarding Buffalo Lakeside Commerce Park. Krog and Savarino are both current on payments under their respective exclusivity agreements with BUDC and are in discussions with BUDC regarding potential land sale agreements. Ms. Merriweather added that BUDC has issued a request for qualifications (RFQ) for a consultant for M/WBE monitoring and compliance with respect to Zephyr’s project at Buffalo Lakeside Commerce Park. The consultant’s fees will be paid for by Zephyr. Responses to the RFQ are due March 13th.

5.0 Late Files – None.

6.0 Tabled Items – None.

7.0 Executive Session – None.

8.0 Adjournment – There being no further business to come before the Board of Directors, the February 28, 2023 meeting of the Board of Directors was adjourned on consent at 12:41 p.m.

Respectfully submitted,



Kevin J. Zanner, Secretary