

**Minutes of the Meeting
of the
Real Estate Committee
of
Buffalo Urban Development Corporation**

**95 Perry Street
Buffalo, New York
July 23, 2024
12:30 p.m.**

Committee Members Present:

Scott Bylewski
Janique S. Curry
Elizabeth A. Holden
Thomas A. Kucharski
Brendan R. Mehaffy
Kimberley A. Minkel, Chair
Dennis M. Penman

Committee Members Absent:

[None]

Officers Present:

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

Guests Present: Dennis Cannon, Comvest; Matthew DiFrancesco, CBRE Upstate NY; Alexis M. Florczak, Hurwitz Fine P.C.; Brian Krygier, Director of IT, ECIDA; Angelo Rhodes II, Northland Project Manager; and Paul Tronolone, Empire State Development.

Roll Call: The meeting was called to order at 12:34 p.m. A quorum of the Committee was present. Mr. Kucharski joined the meeting during the presentation of agenda item 2. Mr. Mehaffy and Mr. Bylewski joined the meeting during the presentation of agenda item 3(d).

1.0 Approval of Minutes – Meeting of June 20, 2024 – The minutes of the June 20, 2024 Real Estate Committee meeting were presented. Mr. Penman made a motion to approve the meeting minutes. The motion was seconded by Ms. Curry and unanimously carried (4-0-0).

2.0 City of Buffalo Northland Beltline Brownfield Opportunity Area Plan Consultant – Mr. Rhodes presented his July 23, 2024 memorandum regarding the proposed retention of a consultant for the Northland Beltline Brownfield Opportunity Area Plan. Following the presentation, Ms. Holden made a motion to recommend that the BUDC Board of Directors: (i) authorize BUDC to enter into an agreement with Colliers Engineering & Design, to provide nomination document preparation, assist with the designation of the proposed BOA, and project administration consultant services for the Northland Beltline Brownfield Opportunity Area for an amount not to exceed \$97,500; and (ii) authorize the BUDC President or Executive Vice President

to execute the agreement with Colliers Engineering & Design and take such other actions as may be necessary or appropriate to implement this authorization. The motion was seconded by Ms. Curry and unanimously carried (5-0-0).

3.0 Northland Beltline Corridor

- (a) **Northland Corridor – Phase 3 Redevelopment Update** – Mr. Rhodes presented an update regarding the Phase 3 Northland redevelopment project. BUDC staff is working with legal counsel and LaBella Associates to finalize the EDA mortgage documents to be recorded on the project properties. Once finalized, the EDA mortgage documents will be submitted to EDA for review and approval.
- (b) **Northland Corridor – Phase 4 Redevelopment Update** – Mr. Rhodes reported that BUDC and Wendel are working with SHPO and the National Park Service (NPS) regarding historic preservation requirements for the 631 Northland building.
- (c) **Northland Corridor– 741 Northland and 777 Northland Building Condition Update** – Mr. Rhodes reported that LiRo has prepared a draft update to its building condition report for the buildings located at 741 and 777 Northland. As a result of the December 2022 blizzard, the condition of both buildings has deteriorated, with portions of the roofs of both buildings having caved in. Mr. Rhodes noted that 777 Northland is subject to a memorandum of agreement (MOA) with SHPO that describes elements of the building that were intended to be preserved and rehabilitated. He indicated that the MOA does not apply to 741 Northland. Ms. Gandour added that BUDC staff is working with SHPO to identify next steps.
- (d) **Northland Corridor – Tenant & Property Management Updates** – Mr. Cannon provided a property management update for the Northland Corridor. Retech has completed its argon tank installation. Simmers Crane Design & Services and Frey Electric were on site to test the cranes at 631 Northland. One of the three cranes was found to be operational. Mr. DiFrancesco then provided an update on tenants in the Northland Corridor. CBRE has prepared a lease renewal proposal to be shared with Manna. Mr. DiFrancesco then distributed to the Committee a draft term sheet for Rookery Labs to lease the “red shed” at 683 Northland Avenue. Following a discussion of the proposed terms of the lease, Mr. Kucharski made a motion to recommend that the BUDC Board of Directors approve a lease with Rookery Labs consistent with the terms outlined by Mr. DiFrancesco and authorize the BUDC President or Executive Vice President to execute the lease on behalf of 683 Northland Master Tenant, LLC. The motion was seconded by Mr. Penman and unanimously carried (7-0-0).
- (e) **Northland Corridor – Phase I Construction Additional HVAC Work Claim Update**
Mr. Zanner reported that the parties are working towards scheduling mediation sessions with the selected mediator.
- (f) **Discussion of Northland Corridor Properties Grant & Other Obligations** – Ms. Gandour reported that since the last Committee meeting, BUDC staff and legal counsel have been preparing property summary reports for each of the Northland Corridor properties. Copies of these draft reports were shared with the Committee for its review. Mr. Zanner added that these reports will be supplemented with additional information, and noted each report identifies development plans for the property as well as grant and loan obligations for each property. Committee members asked BUDC staff to include in each report information relating to operating costs for each property as well as any site plans and photographs of the properties.

4.0 Buffalo Lakeside Commerce Park

- (a) **193 Ship Canal Parkway Update** – Ms. Gandour reported that BUDC staff is following up with RAS Development regarding payment of its exclusivity fee. The exclusivity agreement for the property is scheduled to expire on August 15th. Ms. Gandour noted that RAS Development is expected to ask for an extension to its exclusivity agreement for the property, which will be reviewed by the Committee at its August meeting.
- (b) **80, 134, 158 and 200 Ship Canal Parkway** – Ms. Penman made a motion for the Committee to enter into executive session to discuss matters relating to the appointment of a real estate broker. The motion was seconded by Mr. Kucharski and unanimously carried (7-0-0). At the conclusion of the executive session, Mr. Mehaffy made a motion for the Committee to exit executive session. The motion was seconded by Mr. Kucharski and unanimously carried (7-0-0). Mr. Mehaffy then made a motion to recommend that the BUDC Board of Directors: (i) authorize BUDC to enter into an agreement with CBRE for brokerage services for 80, 134, 158 and 200 Ship Canal Parkway; and (ii) authorize the BUDC President or Executive Vice President to execute the agreement with CBRE and take such other actions as may be necessary or appropriate to implement this authorization. The motion was seconded by Ms. Curry and unanimously carried (7-0-0).
- (c) **Buffalo Lakeside Commerce Park Property Owners Association** – Ms. Gandour reported that Uniland has not yet paid an outstanding assessment invoice.

5.0 **Executive Session** – Yes, see item 4(b).

6.0 **Adjournment** – There being no further business to come before the Committee, upon motion made by Mr. Kucharski, seconded by Mr. Bylewski and unanimously carried, the July 23, 2024 meeting of the Real Estate Committee was adjourned at 1:15 p.m.

Respectfully submitted,



Kevin J. Zanner
Secretary