

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

**95 Perry Street
Buffalo, New York
January 14, 2025
12:00 p.m.**

Call to Order:

Committee Members Present:

Scott Bylewski
Elizabeth Holden
Kimberly Minkel (Committee Chair)
Dennis M. Penman

Committee Members Absent:

Janique S. Curry
Thomas Kucharski

Officers Present:

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

Others Present: Dennis Cannon, Comvest; Keith Carretto, Comvest; Matthew DiFrancesco, CBRE (via Zoom); Alexis M. Florczak, Hurwitz Fine P.C.; Laurie Hendrix, Administrative Coordinator, ECIDA; Brian Krygier, Director of IT, ECIDA; Angelo Rhodes II, Northland Project Manager.

Roll Call – The meeting was called to order at 12:03 p.m. A quorum of the Committee was not present. Item 3 (a) through (e) was presented first for informational purposes only. Ms. Holden and Mr. Bylewski joined the meeting during the presentation of items 3(d) and 3(e) respectively, at which time a quorum was present.

- 1.0 Minutes of December 10, 2024 Meeting** – The minutes of the December 10, 2024 Real Estate Committee meeting were presented. Mr. Penman made a motion to approve the meeting minutes. The motion was seconded by Ms. Holden and unanimously carried (4-0-0).
- 2.0 Northland Beltline – Community Outreach– Marketing Services Agreement** – Ms. Merriweather presented her January 14, 2025 memorandum regarding the marketing services agreement with Mustard Seed World Consulting Group. Following this presentation, Mr. Penman requested that Mustard Seed World Consulting Group provide the Committee with a summary of the benchmarks achieved, and its plan for marketing the Northland Corridor moving forward. Mr. Bylewski made a motion to: (i) approve BUDC entering into a consulting agreement with Mustard Seed World Consulting Group at an hourly rate of \$100 per hour, with total payments not to exceed \$25,000; and (ii) authorize the President or Executive Vice President to execute the consulting agreement and take such other actions as may be necessary to implement this action. The motion was seconded by Ms. Holden and unanimously carried (4-0-0).
- 3.0 Northland Beltline Corridor**

- (a) **Northland Corridor – Phase 3 Redevelopment Update** – Mr. Rhodes presented an update regarding the Phase 3 Northland redevelopment project. Responses to the Phase 3 RFP have been received. BUDC received one proposal for the energy component of Phase 3 construction, and two proposals for Phase 3 general construction. BUDC and LaBella are obtaining additional information from respondents to clarify the proposals received. It is anticipated that the proposals will be presented to the Committee for recommendation at its February meeting. Ms. Gandour added that BUDC's first GURF submission to ESD was approved, which included cost recovery reimbursements to BUDC.
- (b) **Northland Corridor – Phase 4 Redevelopment Update** – Mr. Rhodes presented an update regarding the Phase 4 project. BUDC has received Phase 2 SHPO approval for the 631 Northland building, which is currently with the National Park Service for review.
- (c) **Northland Corridor– 741 Northland and 777 Northland Building Condition Update** – Mr. Rhodes reported that LiRo has provided a memorandum regarding the building conditions at 741 and 777 Northland Avenue. BUDC and ESD are in the process of reviewing LiRo's memorandum.
- (d) **Northland Corridor– Brownfield Opportunity Area (BOA) Plan** – There was no update provided for this item.
- (e) **Northland Corridor – Tenant & Property Management Updates** – Mr. DiFrancesco presented an update regarding CBRE marketing efforts. He reported that Manna provided notice to vacate its leased space at 683 Northland. Mr. DiFrancesco thanked Manna for being a partner in the Corridor since 2019 and wished Manna well moving forward. BUDC and CBRE will be issuing a request for proposals for a new culinary operator at 683 Northland. Ms. Gandour added that BUDC has more information regarding tenants, operators and the number of students on campus that will assist with marketability. The Committee members present expressed concern regarding the short notice to find a new culinary operator for the campus. The Committee discussed the need for a new food service operator to provide service to students in the short term. Ms. Gandour indicated that BUDC is working with the Workforce Training Center, which has previously supplemented Manna's service with hosting food trucks on campus. Ms. Gandour added that any short-term arrangements for service made by BUDC would need to follow BUDC's procurement policy.

Mr. DiFrancesco then reported that CBRE has been in discussions with a potential daycare operator that has expressed interest in the Fillmore parcels. The parties are working towards entering into an exclusivity agreement, which will likely be brought to the Committee for review at its February meeting.

Mr. Cannon then presented an update regarding property management at Northland. Snow removal on campus has been moving forward. Students will be back on campus next week. Fire marshals were recently in the auto tech space and identified a defective duct sensor in the HVAC system. Comvest worked to replace the sensor this morning, and anticipates the space will be in full compliance following the fire marshal's return inspection.

4.0 Buffalo Lakeside Commerce Park

- (a) **193, 80, 134, 158 and 200 Ship Canal Parkway Update** – Mr. DiFrancesco reported that CBRE continues to receive interest from prospects. Ms. Gandour then reported that BUDC asked LaBella, which previously assisted with a draft Brownfield Cleanup Program plan for 193 Ship Canal Parkway, to prepare a proposal to obtain a TENORM variance for 193 Ship Canal Parkway. BUDC has received a draft proposal for LaBella, which anticipates the cost of such services would be \$26,950. Ms. Gandour asked the Committee for its feedback on the proposal in order for Ms. Gandour to negotiate and finalize the proposal with LaBella. Once finalized,

BUDC staff would present the proposal to the Committee at its February meeting. Ms. Minkel commented that the approach proposed by LaBella could potentially help the property's marketability. While no testing would be done to the property under the proposal, it would help determine an approach regarding the property if a TENORM variance was denied. The Committee suggested that the price proposed by LaBella be a not-to-exceed price and expressed support for Ms. Gandour to move forward with negotiating a final proposal with LaBella.

- (b) **Buffalo Lakeside Commerce Park Property Owners Association** – Ms. Gandour reported that Zephyr is up to date with its assessment payments. Uniland and BUDC each owe their respective second assessment payment for 2024. Final assessment charges for 2024, if any, will be issued in February to property owners.

- 5.0 **2024 Authorities Budget Office Property Report** – Ms. Gandour reviewed the draft property report to be submitted to the Authorities Budget Office as part of BUDC's PAAA reporting requirements. BUDC worked with legal counsel to update the report to reflect the subdivision of 541 E. Delavan into five parcels and the prior swap transaction with Plesh. Ms. Gandour also explained that CBRE provided a broker value of opinion for 683 Northland, which is reflected in the updated report. BUDC utilized reassessment notices from the City of Buffalo to update the fair market values of the other properties. The Committee discussed the updates to the property report and fair market values for the properties.
- 6.0 **Executive Session** – None.
- 7.0 **Adjournment** – There being no further business to come before the Committee, upon motion made by Mr. Bylewski, seconded by Ms. Holden and unanimously carried, the January 14, 2025 meeting of the Real Estate Committee was adjourned at 12:37 p.m.

Respectfully submitted,



Alexis M. Florczak
Secretary of the Meeting