

**Minutes of the Meeting
of the
Board of Directors
of
Buffalo Urban Development Corporation**

Via Video Conference Call & Live Stream Audio

**January 25, 2022
12:00 p.m.**

Directors Present:

Mayor Byron W. Brown (Chair)
Daniel Castle
Janique S. Curry
Dennis W. Elsenbeck
Darby Fishkin
Dottie Gallagher
Thomas Halligan
Thomas A. Kucharski
Brendan R. Mehaffy
Dennis M. Penman (Vice Chair)
Darius G. Pridgen

Directors Absent:

Trina Burruss
Michael J. Finn
Kimberley A. Minkel
David J. Nasca
Maria R. Whyte

Officers Present:

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

Guests Present: Tuona Batchelor, Erie County Department of Environment and Planning; Alexis M. Florczak, Hurwitz & Fine, P.C.; Lisa Hicks, City of Buffalo Office of Strategic Planning; and Antonio Parker, BUDC Project Manager.

- 1.0** **Roll Call** – Mayor Brown called the meeting to order at 12:03 p.m. A quorum was not present. Information items 3.1 and 4.3 through 4.8 were presented in the absence of a quorum. Ms. Gallagher and Mr. Pridgen joined the meeting following the presentation of agenda item 4.8. The Secretary then called the roll and a quorum of the Board was determined to be present.

The meeting was held via Zoom in accordance with the provisions of Article 7 of the Public Officers Law, as amended effective January 14, 2022, which authorizes public bodies to conduct meetings and take such action authorized by law without permitting in public in-person access to meetings and to authorize such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.

- 2.0** **Approval of Minutes – Meeting of December 21, 2021** – The minutes of the December 21, 2021 meeting of the Board of Directors were presented. Mr. Pridgen made a motion to approve the meeting minutes. The motion was seconded by Ms. Curry and unanimously carried (11-0-0).

3.0 **Monthly Financial Reports**

3.1 **Finance Update & Audit Plan for Year Ended December 31, 2021** – Ms. Profic updated the Board regarding the year-end audits for BUDC and affiliated entities. It is anticipated that draft audit reports will be reviewed at the March 22nd Audit & Finance Committee meeting and presented to the full Board at its March 29th meeting.

4.0 **New Business**

4.1 **Northland Central – Manna Culinary Second Lease Amendment** – Ms. Gandour presented her January 25, 2022 memorandum regarding a proposed amendment to the Manna Culinary Group Inc. lease. This item was reviewed with the Real Estate Committee at its January 18, 2022 meeting and recommended for Board approval. Mr. Penman made a motion to: (i) approve a lease amendment with Manna Culinary Group Inc. consistent with the terms outlined in the January 25, 2022 memorandum; and (ii) authorize the President or Executive Vice President to execute the lease amendment on behalf of 683 Northland Master Tenant, LLC. The motion was seconded by Ms. Curry and unanimously carried (11-0-0).

4.2 **308 Crowley – Land Sale to Enterprise Folding Box Co., Inc.** – Ms. Merriweather presented her January 25, 2022 memorandum and proposed Board resolution regarding the sale of vacant land at 308 Crowley to Enterprise Folding Box Co., Inc. This item was reviewed with the Real Estate Committee at its January 18, 2022 meeting and was recommended for Board approval. Mr. Kucharski made a motion to adopt the resolution approving the sale of a 2.082+/- parcel of land at 308 Crowley to Enterprise Folding Box Co., Inc. The motion was seconded by Mr. Elsenbeck and unanimously carried (11-0-0).

4.3 **308 Crowley Project Update** – Ms. Merriweather reported that BUDC is continuing to work with the City Department of Permits and Inspections regarding the phase 2 demolition work.

4.4 **Cammarata Consulting, LLC Agreement Renewal** – Ms. Merriweather reported that the Audit & Finance Committee approved a consulting agreement with Cammarata Consulting, LLC for assistance with projects relating to Buffalo Lakeside Commerce Park, the Northland Corridor and other BUDC matters. Ms. Merriweather also noted that BUDC is seeking to hire a director of project management and construction.

4.5 **Buffalo Lakeside Commerce Park – Project Update** – Ms. Gandour presented the following update regarding BLCP matters:

Sale to Zephyr Investors: The multi-party agreement with Zephyr Investors has been executed in connection with Zephyr's request for consent to submit applications to the Brownfield Cleanup Program.

193 Ship Canal Parkway: NYSDEC has indicated that it is receptive to GW Burnett subdividing this parcel and anticipates discussing land sale terms with the Real Estate Committee at its February or March meeting.

BLCP Property Owners Association: The POA held its annual Members and Board of Directors meetings on January 18th. A new Board of Directors was appointed.

4.6 Ralph C. Wilson, Jr. Centennial Park – Project Update – Mr. Parker reported that the Project is advancing and moving closer to the construction phase. Fifty percent of construction documents were completed as of December 2021 and are anticipated to be 100% complete in summer 2022. BUDC and the City are working on the request for qualifications for the City to retain a construction manager at risk for the construction phase, which is being targeted for release on February 1st. BUDC recently received notification regarding funds from the Ralph C. Wilson, Jr. Foundation in the amount of 6.9 million dollars that will be used for phase 1 of core park construction.

4.7 Northland Beltline Corridor Update – Ms. Gandour presented the Northland Beltline Corridor Project update as follows:

Community Solar & Microgrid Project: BUDC staff met with Frey Electric, the Workforce Training Center and ESD to discuss the solar curriculum component of the project. This is the final component to be addressed before BUDC submits its request to ESD for the remaining \$1.8 million in funding for the project.

NWTC/ESD/BUDC MOU: The equipment inventory update has been completed and BUDC received an updated list of equipment at the end of December 2021. BUDC and the Workforce Training Center are reviewing the list and will coordinate with ESD to incorporate the list into the MOU.

Misc. Project Management Updates: 683 Northland was one of three projects featured in the National Parks Service Annual Report on Economic Impact and Historic Tax Credits.

4.8 Race for Place Project Update – Ms. Merriweather presented an update regarding Buffalo's Race for Place. Interviews are being conducted for the transportation demand management RFP. Proposals are being evaluated to select a design team in connection with the flexible smart corridors initiative. Ms. Merriweather also reported that on January 24th, BUDC received news that the City was chosen to receive grant funding from General Motors and the Project for Public Spaces to further the Ellicott Street Placemaking Strategy. The quarterly waterfront coordination meeting was held last week with waterfront stakeholders. BUDC is working with its partner banks on modifications to the BBRP loan program.

5.0 Late Files

5.1 Build Back Better Program Subaward – Memorandum of Understanding –Mr. Pridgen made a motion to accept a late file item involving a memorandum of understanding for the Build Back Better program. The motion was seconded by Mr. Mehaffy and unanimously carried. Ms. Gandour then presented her January 25, 2022 memorandum regarding the Build Back Better memorandum of understanding. Following this presentation, Ms. Gallagher made a motion to: (i) accept the \$46,429 sub-award from ESD related to the EDA Build Back Better Challenge; and (ii) authorize the President or Executive Vice President to execute the memorandum of understanding and take such actions as are necessary to implement this action. The motion was seconded by Mr. Penman and unanimously carried (11-0-0).

6.0 Tabled Items – None.

7.0 Executive Session – None.

8.0 Adjournment – There being no further business to come before the Board, on motion made by Ms.

Curry, seconded by Ms. Gallagher and unanimously carried (11-0-0), the January 25, 2022 Board of Directors meeting was adjourned at 12:30 p.m.

Respectfully submitted,

Kevin J. Zanner, Secretary