

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

**95 Perry Street
Buffalo, New York
October 26, 2021
12:00 p.m.**

Directors Present:

Trina Burruss
Daniel Castle
James Comerford
Janique S. Curry
Dennis W. Elsenbeck
Darby Fishkin
Thomas Halligan
Thomas A. Kucharski
Amanda Mays
Brendan R. Mehaffy
Kimberley A. Minkel
Dennis M. Penman (Vice Chair)
Maria R. Whyte

Directors Absent:

Mayor Byron W. Brown (Chair)
Michael J. Finn
Dottie Gallagher
David J. Nasca
Darius G. Pridgen

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; Cristina Cordero, Gardiner & Theobald (via conference telephone); Jonathan D. Epstein, *The Buffalo News*; James Fink, *Buffalo Business First*; Alexis M. Florczak, Hurwitz & Fine, P.C.; Kevin Gulvin, Gardiner & Theobald (via conference telephone); Arthur Hall, BUDC Senior Project Manager; Antonio Parker, BUDC Project Manager, Seth Piccirillo, Buffalo Niagara Partnership; and Andrew Rabb, Deputy Commissioner, City of Buffalo Parks and Recreation.

- 1.0** **Roll Call** – The Vice Chair called the meeting to order at 12:06 p.m. The Secretary called the roll and a quorum of the Board was determined to be present. Ms. Burruss joined the meeting during the presentation of agenda item 3.1. Ms. Curry joined the meeting during the presentation of agenda item 3.2. Ms. Whyte joined the meeting during the presentation of agenda item 4.1.
- 2.0** **Approval of Minutes – Meeting of September 28, 2021** – The minutes of the September 28, 2021 meeting of the Board of Directors were presented. Ms. Minkel made a motion to approve the meeting minutes. The motion was seconded by Mr. Kucharski and unanimously carried (10-0-0).
- 3.0** **Monthly Financial Reports**

- 3.1 683 Northland Master Tenant, LLC Financial Statements** – Ms. Profic presented for information purposes the financial statements for 683 Northland Master Tenant, LLC for the period ending September 30, 2021.
- 3.2 BUDC Consolidated Financial Statements** – Ms. Profic presented the consolidated financial statements for BUDC and its affiliates, 683 Northland LLC and 683 WTC, LLC for the period ending September 30, 2021. Ms. Fishkin made a motion to accept the BUDC consolidated financial statements. The motion was seconded by Mr. Comerford and unanimously carried (11-0-0). Mr. Mehaffy left the meeting during the presentation of this item and was not present for the vote.

4.0 New Business

- 4.1 2022 683 Northland Master Tenant Budget** – Ms. Profic presented the proposed 2022 budget for 683 Northland Master Tenant, LLC. This budget is presented for information purposes only. The budget projects a net cash increase of approximately \$249,131.
- 4.2 2022 BUDC Proposed Budget & Three-Year Forecast** – Ms. Profic presented the proposed 2022 budget and 2023-2025 forecast. The Audit & Finance Committee met in September and October to review the proposed budget and is recommending approval of the proposed budget. Ms. Profic reviewed the budget narrative and the budgeted sources and uses of funds. Key projected revenue sources in 2022 include \$9,155,000 in grant revenue from the Ralph C. Wilson, Jr. Foundation for the Centennial Park project, \$3,300,000 in grant revenue from Empire State Development and the Restore NY program, rental income of \$2,002,000, and other miscellaneous income as set forth in the proposed budget. Ms. Profic then reviewed the specific sources and uses for each of the BUDC projects and corporate operations and the separate budget detail for the 683 Northland project. A discussion followed, with Ms. Profic addressing a question regarding depreciation. Mr. Elsenbeck then made a motion to approve the 2022 budget and the 2023-2025 forecast. The motion was seconded by Ms. Whyte and unanimously carried (12-0-0).
- 4.3 Ralph C. Wilson, Jr. Centennial Park – MVVA CD Package #2** – Mr. Parker presented his October 26, 2021 memorandum regarding MVVA Construction Document Package #2 for the Centennial Park project. The BUDC Board of Directors previously approved an amendment to the Master Service Agreement between BUDC and Michael Van Valkenburgh Associates (MVVA) for the preparation of construction document package #2 for the Centennial Park Project. The Board's approval was made contingent on additional funding being secured and approved by the Board prior to MVVA commencing work on construction document package #2. Mr. Parker reported that BUDC, working with its project management team at Gardiner & Theobald and the Ralph C. Wilson, Jr. Foundation, has identified funding to satisfy this contingency. Ms. Curry made a motion to: (i) accept \$139,804 in grant funding from the Ralph C. Wilson, Jr. Foundation, which will be documented as an amendment to Wilson Grant #4; (ii) approve the funding for construction document package #2 and release the contingency as outlined in the October 26, 2021 memorandum and the Fourth Amendment to the Master Service Agreement; and (iii) authorize the President or Executive Vice President to execute such documents and take such actions as may be necessary to implement this action. The motion was seconded by Mr. Castle and unanimously carried (12-0-0).
- 4.4 Ralph C. Wilson, Jr. Centennial Park – Project Update** – Mr. Parker presented a general update regarding the Centennial Park project. Construction is anticipated to begin in early 2022. Cristina Cordero and Kevin Gulvin of Gardiner & Theobald further briefed the Board regarding progress on the project. Mr. Castle asked about work to be completed in 2022. Mr. Rabb noted that the Army Corp of Engineers is wrapping up preliminary work on the seawall, and that construction

of the pedestrian bridge will be a significant focus in 2022. He also noted that sections of the park will be closed during the bridge construction work, while other portions of the park will remain accessible. Ms. Gandour indicated that a public meeting will take place on November 10th to provide a general project update to the public. Ms. Whyte asked about ongoing use of the athletic fields during construction. Mr. Rabb indicated that the athletic fields will be closed during portions of the construction. Mr. Penman commented on the importance of public communications. Mr. Rabb indicated that the City of Buffalo, working with BUDC and UBRI, is working to ensure that public communications and community engagement continue, and he further noted that the conservancy that was recently formed for the park will take on this role over time.

4.5 Buffalo Lakeside Commerce Park – Project Update – Ms. Gandour circulated an updated marketing flyer for Buffalo Lakeside Commerce Park which shows the recent land sale to Uniland. She thanked Invest Buffalo Niagara for assisting with the flyer update. She then presented the following update regarding BLCP matters:

Zephyr Investors Update: Zephyr presented its project to the City of Buffalo Planning Board on October 25th.

255 Ship Canal Parkway: Uniland has received necessary permits and completed its purchase of the solar panels to be installed at the site.

193 Ship Canal Parkway: GW Burnett continues to be interested in the parcel and is coordinating with the NYSDEC with respect to the Brownfield Cleanup Program.

4.6 Northland Beltline Corridor Update – Mr. Hall presented the Northland Beltline Corridor Project update as follows:

Northland Central – NWTC/ESD/BUDC Memorandum of Understanding: The company that completed the initial inventory of equipment is scheduling an inventory update for November 1st.

EDA Build Back Better Application: The Economic Development Administration (EDA) launched the Build Back Better program to help communities recover after the Coronavirus pandemic. Empire State Development and UBRI have collaborated with BUDC to apply for funding, and BUDC was invited to submit a response to phase I of the application process. The 631 Northland, 537/541 E. Delavan and the solar microgrid project have been submitted for funding.

Northland Video Series (“A Neighborhood of Opportunity Video”): BUDC helped initiate a marketing series for the Northland Beltline Corridor to showcase the campus through 60 to 90 second videos to be shared on social media and at community events. The first of three videos features Mayor Brown, Northland Workforce Training Center students, Manna Culinary, community residents and opportunities on the Northland campus.

683 Northland: The Restore NY V #3 reimbursement request has been approved in the amount of \$372,374.95. BUDC staff is continuing to coordinate with the City to secure this reimbursement.

Solar Microgrid (Substation): Frey Electric recently met with Zang Agency to discuss and clarify the substation proposal and engineering details. Additional project meetings have been scheduled for this week.

Management/Maintenance: Mancuso Development Group is preparing a non-binding lease term sheet to submit to Garwood Medical for 612 Northland. The five-year lease renewal with Well Worth Products has been executed by the parties. Manna is moving toward competing its second year of operation as of October 31st. Installation of snow guards at the red shed building has been

completed. BUDC is working with the City of Buffalo Department of Permits and Inspections regarding the code violation at 714 Northland. The Chelsea Lot cleanup has been initiated, and parking bumpers have been returned to their proper locations prior to the start of plowing season.

Community Outreach: The Northland Beltline Taxpayers Association postponed the indoor activities portion of the Fall Harvest Festival. There will be outdoor activities only for this event, including a “Trunk or Treat”. The festival will be held on October 30th from 2:00 p.m. to 6:00 p.m.

Business Network Series: The Northland Business Network Series will be held on October 28th at 6:00 p.m. The theme of this event is “Restore, Rebuild, Revive.”

4.7 Race for Place Project Update – Ms. Merriweather presented an update regarding BBRP and the Race for Place initiative. The review and selection process for the Mohawk Ramp project is ongoing, and an announcement is anticipated soon. The Loan Committee continues to discuss revamping BUDC’s loan program to better support transformational projects, including projects that include affordable housing, small businesses and public realm improvements. The Queen City Pop-Up holiday market will return this year, with vendor applications to be released soon. A Buy Black Buffalo event is taking place on October 28th, with a lunch crawl and happy hour at participating downtown restaurants.

4.8 308 Crowley Project Update – Ms. Merriweather reported that the Phase 1 demolition work continues to move forward and is almost complete. The City received bids for Phase 2 of the demolition work. Enterprise Folding Box is interested in purchasing additional land at 308 Crowley and a survey of the parcel is being prepared.

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, the October 26, 2021 Board of Directors meeting was adjourned at 1:10 p.m.

Respectfully submitted,



Kevin J. Zanner, Secretary