

Buffalo Urban Development Corporation

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Buffalo Urban Development Corporation Real Estate Committee Meeting

Tuesday, April 23, 2024 at 12:00 p.m.
95 Perry Street, 4th Floor

Agenda

- 1) Approval of Minutes – Meeting of March 21, 2024 (*Approval*) (*Enclosure*)
- 2) Northland Corridor – Northland Corridor Phase 3 Redevelopment Update (*Information*)
- 3) Northland Beltline Corridor - (*All Are Information Items*)
 - a) Northland Corridor – Tenant & Property Management Updates
 - b) Northland Corridor – Phase 4 Updates
 - c) Northland Corridor – BUDC-ESD NWTC 2016 Lease Memorandum of Understanding
 - d) Northland Central – Phase I Construction Additional HVAC Work Claim Update
 - e) Northland Central – Periodic Review Report
- 4) Buffalo Lakeside Commerce Park - (*All Are Information Items*)
 - a) 193 Ship Canal Update
 - b) 80, 134, 158 and 200 Ship Canal Parkway Update
 - c) Sub-parcel 3 Periodic Review Report
 - d) Buffalo Lakeside Commerce Park Property Owners Association
 - e) Zephyr Compliance
- 5) Executive Session
- 6) Adjournment (*Approval*)

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

**95 Perry Street
Buffalo, New York
March 21, 2024
12:00 p.m.**

Committee Members Present:

Scott Bylewski
Janique S. Curry
Elizabeth A. Holden
Brendan R. Mehaffy
Kimberley A. Minkel, Chair

Committee Members Absent:

Thomas A. Kucharski
Dennis M. Penman

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; Dennis Elsenbeck, BUDC Board member (via Zoom); Alexis M. Florczak, Hurwitz Fine P.C.; Antonio Parker, BUDC Project Manager; Angelo Rhodes II, Northland Project Manager (via Zoom); and Aaron Schauger, LaBella Associates.

Roll Call: The meeting was called to order at 12:05 p.m. A quorum of the Committee was not present. Item 4 was presented first for informational purposes only. Mr. Mehaffy and Ms. Curry joined the meeting during the presentation of agenda item 4, at which time a quorum was present.

1.0 Approval of Minutes – Meeting of February 13, 2024 – The minutes of the February 13, 2024 Real Estate Committee meeting were presented. Ms. Holden made a motion to approve the meeting minutes. The motion was seconded by Mr. Curry and unanimously carried (4-0-0). Mr. Mehaffy was not present for the vote.

2.0 Northland Beltline – Community Outreach – Marketing Services Agreement

– Ms. Merriweather presented her March 21, 2024 memorandum regarding the marketing services agreement with Mustard Seed World Consulting Group. Ms. Merriweather noted that Sandy White has been an integral part of the marketing and community outreach efforts at Northland. In response to a question from Ms. Minkel regarding procurement, Mr. Zanner noted that the contract would qualify as a single source procurement under the BUDC procurement policy. Ms. Curry then 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 Mr. Bylewski and unanimously carried (5-0-0).

3.0 Northland Beltline – 612 Northland Start-Up NY Affiliation Agreement – Ms.

Gandour presented her March 21, 2024 memorandum regarding the Start-Up NY Affiliation Agreement. Following her presentation, Mr. Mehaffy made a motion to recommend that the Board of Directors: (i) designate 612 Northland as a University at Buffalo Start-Up NY property; and (ii) authorize the President or Executive Vice President to execute and deliver the Start-Up NY Affiliation Agreement on behalf of NorDel I, LLC and take such other actions as may be necessary to implement this authorization. The motion was seconded by Ms. Holden and unanimously carried (5-0-0).

4.0 Northland Corridor – Northland Corridor Phase 3 Redevelopment Update –

Mr. Schauger provided an update on Phase 3 redevelopment within the Northland Corridor. Mr. Schauger provided an overview of the project, which includes work at 541 E. Delavan, the “B” building at 612 Northland Avenue, additional campus parking, and the clean energy microgrid project, which includes substation upgrades and community solar. In response to comments from Mr. Elsenbeck regarding the clean energy microgrid, Ms. Gandour and Mr. Schauger noted that while a modular approach to the microgrid was considered, cost played a factor in the design developed by the project team. Mr. Schauger then led a discussion regarding the project budget and identified that a funding gap exists for the project. The Committee discussed potential options to reduce the funding gap, including project phasing and securing additional funding. Mr. Schauger concluded his presentation with an overview of the current project timeline, which projects that bids will be reviewed and awarded in June 2024.

5.0 Northland Beltline Corridor

(a) Northland Corridor – Tenant & Property Management Updates – Mr. Cannon and

Mr. DiFrancesco presented the tenant and property management update on the Northland Corridor. Plumbing work will begin at the Garwood Medical space. Retech will be installing an argon tank in the upcoming weeks, following receipt of required documentation from New York State and the City of Buffalo. Mr. Cannon noted that an oil separator system has been requested for the automotive training space at 683 Northland. Ms. Gandour noted that the Northland Workforce Training Center leased the space “as-is” and would be responsible for any costs associated with this system. Mr. Cannon noted that he will be working with Siemens regarding the cost estimates for the parking lot gate systems, which will be brought to the Committee for review once these proposals are finalized. Mr. DiFrancesco distributed copies of updated marketing materials for Northland prepared by CBRE, which include current and future available space in the Corridor. Several prospective tenants have toured the former Albright Knox space at 612 Northland. CBRE is working on a renewal lease with Manna for its lease expiring at the end of 2024.

(b) Northland Central – Phase 4 Updates – Mr. Rhodes presented an update regarding Phase 4 of Northland redevelopment. Wendel is currently moving forward with schematic design for the project. Subsurface investigations are to be completed in early April.

(c) Northland Corridor – BUDC-ESD NWTC 2016 Lease Memorandum of Understanding – Ms. Gandour noted that the MOU was not voted on by the BUDC Board at its February meeting due to a lack of quorum for the item. The MOU will be brought back to the Board for approval later this month.

(d) Northland Corridor – Phase I Construction Additional HVAC Work Claim Update

Mr. Zanner reported that a status conference with the court will be held in early April. Counsel for BUDC is working through the defendants’ document production as part of the discovery process.

6.0 **Buffalo Lakeside Commerce Park**

- (a) **193 Ship Canal Parkway Update** – Ms. Gandour reported that RAS Development Company is current on payments under the exclusivity agreement and is working on a joint venture proposal for a build-to-suit tenant partner. RAS Development Company has begun receiving inquiries and is working with Invest Buffalo Niagara to market the space as a cold storage facility.
- (b) **80, 134, 158 and 200 Ship Canal Parkway** – Ms. Gandour reported that there are no new updates regarding these parcels.
- (c) **Buffalo Lakeside Commerce Park Property Owners Association** – Ms. Gandour reported that Uniland submitted a second alternate assessment proposal for its solar facility. This proposal results in an assessment calculation that is lower than the vacant lot calculation for the property. BUDC submitted a written response to Uniland indicating that the POA Board of Directors had directed Uniland to submit a proposal that was not less than the vacant lot calculation. Ms. Gandour also thanked Ms. Johnson-Huff for her work in maintaining BLCP and noted that landscaping work was being completed ahead of the solar eclipse in April.
- (d) **Zephyr Compliance** – Ms. Merriweather and Ms. Gandour reported that Landon & Rian has not issued its final report regarding Zephyr’s utilization of MBE and WBE firms for the first phase of its project. The final report will be issued once Zephyr’s Phase 1 building is completed.

7.0 **Executive Session** – None.

8.0 **Adjournment** – There being no further business to come before the Committee, the March 21, 2024 meeting of the Real Estate Committee was adjourned at 1:18 p.m.

Respectfully submitted,

Kevin J. Zanner
Secretary