

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

Via Video Conference Call & Live Stream Audio

**February 22, 2022
12:00 p.m.**

Directors Present:

Trina Burruss
Daniel Castle
Janique S. Curry
Dennis W. Elsenbeck
Michael J. Finn
Thomas Halligan
Thomas A. Kucharski
Brendan R. Mehaffy
Kimberley A. Minkel
David J. Nasca
Darius G. Pridgen

Directors Absent:

Mayor Byron W. Brown (Chair)
Darby Fishkin
Dottie Gallagher
Dennis M. Penman (Vice Chair)
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: Alexis M. Florczak, Hurwitz & Fine, P.C.; Laurie Hendrix, ECIDA Administrative Coordinator; Lisa Hicks, City of Buffalo Office of Strategic Planning; and Seth Piccirillo, Buffalo Niagara Partnership.

- 1.0** **Roll Call** – Mr. Mehaffy serves a chair of the meeting and called the meeting to order at 12:03 p.m. The Secretary called the roll and a quorum of the Board was determined to be present. Mr. Pridgen left the meeting following the presentation and vote on agenda item 4.2.

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 January 25, 2022** – The minutes of the January 25, 2022 meeting of the Board of Directors were presented. Mr. Pridgen made a motion to approve the meeting minutes. The motion was seconded by Mr. Nasca and unanimously carried (11-0-0).

3.0 **Monthly Financial Reports**

- 3.1 **683 Northland Master Tenant, LLC Financial Statements** – Ms. Profic presented the financial statements for 683 Northland Master Tenant, LLC for the period ending January 31, 2022. Ms. Profic noted that year-end audits are underway. Draft audited financial statements will be presented to the Audit & Finance Committee at its March 22nd meeting and to the Board at its March 29th meeting.
- 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 January 31, 2022. Ms. Burruss made a motion to accept the BUDC consolidated financial statements. The motion was seconded by Ms. Minkel and unanimously carried (11-0-0).

4.0 **New Business**

- 4.1 **Ralph C. Wilson, Jr. Centennial Park – RCWJF Grant Agreement #5** – Ms. Gandour presented her February 22, 2022 memorandum regarding the Ralph C. Wilson, Jr. Foundation Grant Agreement #5 for the Centennial Park project. This item was reviewed by the Downtown Committee at its February 16th meeting and is being recommended for approval. Following the presentation, Ms. Minkel made a motion to: (i) accept the \$6,906,050.00 grant award from the Ralph C. Wilson, Jr. Foundation for Phase 1 core park construction; and (ii) authorize the President or Executive Vice President to execute the Grant Agreement and take such other actions as are necessary or appropriate to implement this action. The motion was seconded by Ms. Curry and unanimously carried (11-0-0).
- 4.2 **Ralph C. Wilson, Jr. Centennial Park – SJB Contract Amendment** – Ms. Gandour presented her February 22, 2022 memorandum regarding a proposed amendment to the SJB Services Agreement for additional environmental services for the Centennial Park project. This item was reviewed by the Downtown Committee at its February 16th meeting and is being recommended for approval. Following the presentation, Mr. Nasca made a motion to: (i) approve an amendment to the SJB Agreement in the amount of \$40,000.00 for the additional environmental scope of work; and (ii) authorize the President or Executive Vice President to execute an amendment to the Agreement and take such other actions as are necessary or appropriate to implement this action. The motion was seconded by Mr. Finn and unanimously carried (11-0-0).
- 4.3 **Bisonwing Planning and Development, LLC Agreement Renewal** – Ms. Gandour reported that the Audit & Finance Committee approved a consulting agreement with Bisonwing Planning and Development, LLC for assistance with projects relating to the Northland Corridor, Build Back Better grant and other BUDC matters. The contract is for a not-to-exceed amount of \$25,000.
- 4.4 **Mustard Seed Consulting, LLC Agreement Renewal** – Ms. Merriweather reported that the Real Estate Committee approved a consulting agreement renewal with Mustard Seed Consulting, LLC for community outreach and marketing services at Northland. The contract is for a not-to-exceed amount of \$25,000.
- 4.5 **Buffalo Lakeside Commerce Park – Project Update** – Ms. Gandour presented the following update regarding BLCP matters:
- Sale to Zephyr Investors: BUDC is working with one of Zephyr’s consultants to provide information requested on stormwater retention and documents for the site.

193 Ship Canal Parkway: BUDC continues to engage in discussions with GW Burnett and NYSDEC with respect to this site.

BLCP Property Owners Association: BUDC submitted its first bill to Uniland for its share of POA expenses.

4.6 Ralph C. Wilson, Jr. Centennial Park – Project Update – Ms. Gandour reported that the City of Buffalo released its RFQ for a construction manager for the project. Responses to the RFQ are due on March 4th. Construction documents are at fifty percent completion and are under review.

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

Build Back Better Grant Update: BUDC is working with UBRI and ESD on the region's Phase 2 application. BUDC is working on completing its draft budget and project narrative and collecting letters of support to submit with the application, which are due this week. Phase 2 applications are due March 15th and if selected, BUDC would be eligible to receive \$32 million of \$100 million in grant funding to the region.

NWTC/ESD/BUDC MOU: The equipment inventory update has been completed and BUDC is working with ESD on the updated MOU that incorporates the updated equipment inventory. The MOU will be presented for review and approval at a future meeting of the Board.

Community Solar & Microgrid Project: BUDC received a pre-development summary from Frey Electric, and is awaiting ESD's response regarding the remaining \$1.8 million in funding for this project.

4.8 Race for Place Project Update – Ms. Merriweather presented an update regarding Buffalo's Race for Place. Douglas Development was selected through an RFP process as the developer for the Mohawk Ramp site. The project will include mixed-income housing, a mobility hub, retail space, and additional parking. In response to a question from Mr. Nasca, Ms. Merriweather indicated that the mobility hub will incorporate multi-modal access and maximize walkability. The project will also incorporate the Simon Electric properties on Ellicott Street, and the overall project aligns well with the Ellicott Street Placemaking Strategy. The curbside management RFP was released. Stantec was selected as the consultant for the flexible smart street corridors work, which will further the recommendations contained in the Future of Mobility report. BUDC continues to work with the Arts Commission on the public art component for the entertainment district project. The Loan Committee will meet on March 1st to discuss modifications to the BBRP loan program.

4.9 308 Crowley Project Update – Ms. Merriweather reported that BUDC continues to work with BUDC counsel and Enterprise Folding Box on the land sale, which is anticipated to close sometime in March. BUDC is also working with the City on phase 2 demolition plans.

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, on motion made by Ms. Curry, seconded by Mr. Kucharski and unanimously carried, the February 22, 2022 Board of Directors meeting was adjourned at 12:36 p.m.

Respectfully submitted,

Kevin J. Zanner, Secretary