

Buffalo Urban Development Corporation

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BUDC Downtown Committee

Wednesday, May 18, 2022

City Hall – Room 901

12:00 Noon

Agenda

1. Approval of Minutes from February 16, 2022 *(Action)(Encl.)*
2. Ralph C. Wilson, Jr. Centennial Park – Project Update Presentation by Gardiner & Theobald *(Informational)*
3. Ralph C. Wilson, Jr. Centennial Park – Third Amendment to BUDC-City of Buffalo Subgrant Agreement *(Recommendation)(Encl.)*
4. Ralph C. Wilson, Jr. Centennial Park – MVVA Master Service Agreement Amendment: CRM Scope *(Recommendation)(Encl.)*
5. Ralph C. Wilson, Jr. Centennial Park – MLB-MLBPA Youth Development Foundation Grant Agreement *(Information)(Encl.)*
6. Buffalo's Race For Place – General Update *(Informational)*
7. Buffalo's Race For Place – Pass-Through Agreement to City of Buffalo for Court Street Improvements *(Information)*
8. BBRP Loan Program – General Update *(Informational)*
9. Partner Updates *(Informational)*
10. Adjournment *(Action)*

Hon. Byron W. Brown, Chairman of the Board • Dennis Penman, Vice Chairman • Brandye Merriweather, President
Rebecca Gandour, Executive Vice President • Mollie Profic, Treasurer • Atiqa Abidi, Assistant Treasurer • Kevin J. Zanner, Secretary

**Minutes of the Meeting
of the
Downtown Committee
of
Buffalo Urban Development Corporation**

Via Video Conference Call & Live Stream Audio

**February 16, 2022
12:00 p.m.**

Committee Members Present:

Trina Burruss
Daniel Castle
Michael Finn
Darby Fishkin
Kimberley Minkel

Committee Members Absent:

Dottie Gallagher
Brendan R. Mehaffy (Committee Chair)
Darius G. Pridgen

Officers Present:

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

Guests Present: Cristina Cordero, Gardiner & Theobald; Alexis Florczak, Hurwitz & Fine, P.C.; Laurie Hendrix, ECIDA Administrative Coordinator; Jamie Hamann-Burney, Buffalo Niagara Medical Campus; Lisa Hicks, Mayor's Office of Strategic Planning; Stephen Noone, Gardiner & Theobald; Antonio Parker, BUDC Project Manager; and JJ Tighe, Ralph C. Wilson, Jr. Foundation.

Roll Call: The meeting was called to order at 12:03 p.m. by Ms. Minkel, who served as chair of the meeting. A quorum of the Committee was 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.

- 1.0 Approval of Minutes of the January 19, 2022 Meeting** – The minutes of the January 19, 2022 meeting of the Downtown Committee were presented. Ms. Fishkin made a motion to approve the meeting minutes. The motion was seconded by Mr. Castle and unanimously carried (5-0-0).
- 2.0 Ralph C. Wilson, Jr. Centennial Park – Project Update Presentation by Gardiner & Theobald** – Ms. Gandour introduced representatives from Gardiner & Theobald to present the Ralph C. Wilson, Jr. Foundation Centennial Park project update. Ms. Cordero provided an overview of the project's milestones to date, noting that the request for qualifications (RFQ) to select a construction manager was released on February 4th. The request for proposals (RFP) process is anticipated to begin

in April and end in June. Ms. Cordero then provided a summary of the phase 1 and 1A construction projects and detailed the funding components and status of each funding source.

- 3.0 Ralph C. Wilson, Jr. Centennial Park – RCWJF Grant Agreement #5** – Mr. Parker presented his February 16, 2022 memorandum regarding Grant Agreement #5 between BUDC and the Ralph C. Wilson, Jr. Foundation for the redevelopment of Ralph C. Wilson, Jr. Centennial Park. Following the presentation, Ms. Fishkin made a motion to recommend that the Board of Directors accept the \$6,906,050.00 grant award from the Ralph C. Wilson, Jr. Foundation for Phase 1 core park construction. The motion was seconded by Mr. Finn and unanimously carried (5-0-0).
- 4.0 Ralph C. Wilson, Jr. Centennial Park – SJB Contract Amendment** – Mr. Parker presented his February 16, 2022 memorandum regarding a proposed amendment to the SJB Services agreement for additional environmental services for the Centennial Park project. The total cost of these services is \$40,000.00, which are being procured in accordance with the single source provisions of the BUDC procurement policy. Mr. Finn expressed support for moving forward with the additional services at this stage of the project. There being no further comments or discussion, Ms. Minkel made a motion to recommend that the Board of Directors approve an amendment to the SJB Services agreement in the amount of \$40,000.00 for the additional environmental scope of work described in the February 16, 2022 memorandum, the cost of which will be paid through a previously awarded grant from the Ralph C. Wilson, Jr. Foundation. The motion was seconded by Ms. Burruss and unanimously carried (5-0-0).
- 5.0 Buffalo’s Race for Place – General 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. A PILOT increment financing (PIF) program is expected to be implemented for the project to help fund infrastructure improvements. 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.
- 6.0 BBRP Loan Program – General Update** – Ms. Merriweather presented an update regarding the BBRP loan program. The Loan Committee will meet on March 1st to discuss modifications to BUDC’s loan program.
- 7.0 Partner Updates** – Mr. Hamann-Burney reported on recent updates within the Buffalo-Niagara Medical Campus. BNMC’s public realm master plan is being implemented, which builds off BUDC’s downtown public realm master plan to enhance the pedestrian experience on campus and promote health, wellbeing and wayfinding. In Fall 2021, BNMC partnered with Albright Knox and GoBike Buffalo to implement artistic intersection improvements to improve safety and enhance artistic elements on the campus and hope to expand to additional intersections in 2022. BNMC is currently working on two transportation projects. One of these projects is to develop a “complete trip platform” to assist the most vulnerable users of public transportation with navigation. BNMC and local partners were selected to advance to the second phase of a NYSERDA grant opportunity that would award up to ten million dollars for equitable transportation services and enhancements. A comprehensive study was recently launched to examine safety improvements on Goodell Street.
- 8.0 Adjournment** – There being no further business to come before the Downtown Committee, upon motion made by Mr. Castle and seconded by Ms. Fishkin, the February 16, 2022 meeting of the Downtown Committee was adjourned at 12:36 p.m.

Respectfully submitted,

Kevin J. Zanner
Secretary

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Item 3

MEMORANDUM

TO: BUDC Downtown Committee

FROM: Brandye Merriweather, President

SUBJECT: Ralph C. Wilson, Jr. Centennial Park – Third Amendment to BUDC - City of Buffalo Subgrant Agreement

DATE: May 18, 2022

At its June 30, 2020 meeting, the BUDC Board of Directors approved the second amendment to the subgrant agreement between BUDC and the City of Buffalo. The subgrant agreement allows for the transfer of grant funding from BUDC to the City of Buffalo for work related to the Ralph C. Wilson, Jr. Centennial Park Project.

As the project moves into the first phase of construction, a third amendment is needed. The first phase of construction focuses on the pedestrian bridge and playfields. The third amendment will allow for the transfer of funds from Ralph C. Wilson, Jr. Foundation Grants 5, 6 and Edith Wilson & Linda Bodgan Memorial Garden as well as the Community Foundation for Southeast Michigan’s Edith Wilson Linda Bodgan Tennis Fund award.

As construction progresses and additional grants become available, there may be a need for additional amendments.

ACTION:

I am requesting that the BUDC Downtown Committee recommend that the Board of Directors: (i) approve the Third Amendment to the BUDC-City of Buffalo Subgrant Agreement allowing BUDC to move funds to the City for Phases 1 and 1 A construction of Centennial Park; and (ii) authorize the BUDC President or Executive Vice President to execute the Third Amendment to the Subgrant Agreement and take such other actions as are necessary to implement this authorization.

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Item 4

MEMORANDUM

TO: BUDC Downtown Committee

FROM: Rebecca Gandour, Executive Vice President

**SUBJECT: Ralph C. Wilson, Jr. Centennial Park – MVVA Master Service Agreement
Amendment: CRM Scope**

DATE: May 18, 2022

In May 2019, the BUDC Board of Directors approved a Master Service Agreement (the “MVVA Agreement”) with Michael Van Valkenburgh Associates (“MVVA”) for Schematic Design and Design Development for Ralph C. Wilson, Jr. Centennial Park (“Centennial Park”). The MVVA Agreement has been subsequently amended to provide for additional Schematic Design costs, inclusion of the Pedestrian Bridge, additional Design Development to incorporate provisions relating to Great Lakes Commission grant funding, the preparation of Construction Documents, and additional design work for an ADA Kayak Transfer Platform at the Blueway Site at Centennial Park.

As the City of Buffalo is nearing selection of a Construction Manager at Risk (CMR) through its RFP process, G&T is recommending an amendment to the MVVA Master Service Agreement to allow for MVVA’s design team to respond to any questions raised by the applicants during the CMR RFP submission window.

G&T has negotiated the additional scope of work for an amount not to exceed \$11,937, which will be paid with existing funding from the Grant 1 award from the Ralph C. Wilson, Jr. Foundation.

ACTION:

I am requesting that the BUDC Downtown Committee approve an amendment to the MVVA Master Service Agreement in the amount of \$11,937 for additional work to allow MVVA to answer applicant questions during the Construction Manager at Risk RFP process; and (ii) authorize the President or Executive Vice President to execute the amendment to the MVVA Master Service Agreement and take such other actions as are necessary to implement this authorization.

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Item 5

MEMORANDUM

TO: BUDC Downtown Committee

FROM: Rebecca Gandour, Executive Vice President

SUBJECT: Ralph C. Wilson, Jr. Centennial Park – MLB-MLBPA Youth Development Foundation Grant Agreement

DATE: May 18, 2022

At its March 29, 2022 meeting, the BUDC Board of Directors accepted a \$960,000 grant award from the Major League Baseball Youth Development Foundation (MLBYDF) the field renovation component of the Ralph C. Wilson, Jr. Centennial Park (“Centennial Park”). MLBYDF and BUDC have since been working toward memorializing the acceptance of the grant funding through a grant letter agreement (the "MLBYDF Agreement").

There are two provisions in the MLBYDF Agreement that MLBYDF is requiring as a condition to BUDC receiving the grant funds:

- BUDC is required to secure naming rights for the fields from the City of Buffalo. At this time, MLBYDF has not yet provided BUDC with a proposed name for the fields. Naming rights to the youth fields would be awarded by the Common Council.
- MLBYDF is requiring BUDC to report for a period of five (5) years after completion of the field renovation project on the youth sports programming that will occur on the renovated fields at Centennial Park, including program operation, player participation and demographic information, and facility use and conditions.

In submitting its grant application, BUDC informed MLBYDF that BUDC is not an organization that provides youth sports programming, and that any programming following completion of the field renovation project would be facilitated by the City of Buffalo and the Ralph Wilson Park Conservancy. One potential solution is for BUDC to enter into an agreement with the City and Conservancy to pass through the obligations relating to the naming rights of the fields and post-construction reporting of securing naming rights to the fields for MLBYDF and post-construction reporting obligations. We are seeking the Committee’s input regarding this matter.

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