

**CITY OF BUFFALO URBAN RENEWAL
AGENCY BOARD MEETING MINUTES**

**REMOTE MEETING VIA
UBERCONFERENCE CALL**

<https://www.uberconference.com/rgeller-alongi>

Optional dial-in number: 720-835-5274,
PIN: 14166

MEETING DATE: May 28, 2020

1. MEMBERS PRESENT: Council President Darius Pridgen
Brendan R. Mehaffy, BURA Vice Chairman
Commissioner Donna Estrich
Timothy Ball, Corporation Counsel
Council Member Christopher Scanlon

MEMBERS EXCUSED: Mayor Byron Brown, BURA Chairman
Council Member Joseph Golombek

SECRETARY: Scott C. Billman

OTHERS PRESENT: Yvonne McCray, BURA Director of Housing, Tracy Cooley
BURA Deputy Director of FCA, Theresa Farrell, Carley
Mealey, Dan Muscarella, Tony Chestnut, Leslie Vishwanath,
Pam Walker-Jarmon, Evelyn Rodriguez,

2. Mr. Mehaffy stated that the BURA Board Committee will waive the reading of the minutes of the April 23, 2020 minutes and will take action on such minutes at the June 25, 2020 meeting.

3. Approval to Award Hostel Buffalo Niagara with a Designated Developer Status for BURA owned Property at 664 Main Street and 667 Washington Street

Agency members approved a request for the City of Buffalo Urban Renewal Agency (“BURA”) to award Hostel Buffalo Niagara (“Developer”) with Designated Developer Status BURA owned Property located at 664 Main and 667 Washington Street (“the Property”). BURA owns the property and is currently leasing the Main Street portion of the Property to Hostel Buffalo Niagara. Hostel Buffalo Niagara’s lease is due to expire in 2022. Hostel Buffalo Niagara has expressed interest in purchasing the Property from BURA and expand their operation to provide some premium hostel accommodations for tourists visiting the City of Buffalo. BURA staff has reviewed this proposal and is in favor of awarding Hostel Buffalo Niagara with a formal designated developer status letter. The designation period will be for twelve (12) months, and require payment of a non-refundable designation fee of Five Hundred Dollars (\$500.00) per month by Hostel Buffalo Niagara to BURA. Prior to expiration of the designation, Developer will negotiate and execute a Land Disposition Agreement for approval by the Agency and the Common Council for the sale of the Property at fair market value.

a. Prior to execution of a Land Disposition Agreement, the Developer will provide the following to the Agency:

- Project Proposal;
- Description of the Developer’s sources and uses of funding, including any anticipated local, state and/or federal grant and loan funds;
- Site plan;
- Copy of the Developer’s organizational documents;
- List of all parties involved in the development and operation of the Project, including the specific role of each party; and
- Color rendering of the Project suitable for presentation to the Agency and Common Council

- b. The payment of a designation fee of five hundred dollars (\$500.00) per month by Developer to the Agency, payable within five (5) days from the date of designation and due thereafter the first day of every month. In the event Developer shall exercise its option to acquire said property pursuant to the Land Disposition Agreement to be negotiated by Developer and Agency, said option fee shall be applied as a credit towards the purchase price. In the event Developer shall not proceed with the development of the property within the designation period, Developer shall forfeit all monies paid on account and Agency shall retain all such monies. Prior designation payments shall also be applied as a credit towards the purchase price in the event Developer shall exercise its option to acquire said property.
- c. Developer is responsible for performing any soil borings and soil investigations, as per a license agreement to be granted by Agency, for the purpose of determining, to developer's satisfaction, the suitability of the site for its intended use, and the presence or absence of hazardous substances as such term is used in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (C.E.R.C.L.A) 42 USC ss 9601 et seq.: The Hazardous Materials Transportation Act, as amended, 49 USC ss 1801 et seq.: The Resource Conservation and Recovery Act, as amended, 42 USC ss 6901 et seq.: Articles 15 and 27 of the New York State Environmental Conservation Law or any other federal, state, or local law, regulation, rule, ordinance, by-law, policy guidance, procedure, interpretation, decision, order, or directive, whether existing as of the date hereof, previously enforced or subsequently enacted. Environmental investigations, testing and any other required due diligence investigations shall be completed pursuant to an Access Agreement to be executed between the Developer and BURA. The Access Agreement may be executed by the BURA Vice Chair without further Board action.
- d. Subsequent to execution of the Land Disposition Agreement, Developer will pay to the Agency a non-refundable deposit in the amount of ten percent (10%) of the purchase price.
- e. Individuals and or corporations having outstanding taxes, water bills, parking tickets, user fee and/or demolition liens or any other liens owned to the City of Buffalo, or if code violations exist on any property owned by them, are ineligible for designation.
- f. The Developer shall provide the Agency a monthly up-to-date progress report with project schedule and sources and uses of project budget.
- g. Within thirty (30) days of the date of this letter, Hostel Buffalo Niagara will hire and/or retain a bookkeeper or a bookkeeping service, with experience in grant reporting, to ensure, on a continuing and ongoing basis, fiscal capacity of Hostel Buffalo Niagara and to provide oversight of the financial data recorded within the accounting system and reported to Hostel Buffalo Niagara's officers and directors, BURA, lenders, grant funders, regulatory bodies, and other stakeholders. A BURA representative will be involved in the interviewing and decision making portions of the hiring/retention process
- h. The City of Buffalo Urban Renewal agency may terminate this designation should the Developer fail to meet any of the conditions set forth above. Should BURA elect to terminate this designation on or before May 28, 2021 for failure to meet a timely deadline, BURA will first allow the Redeveloper two (2) weeks to cure by written notice.
- i. This designation will expire on May 28, 2021.

Motion made by Council President Pridgen to approve Item 3a, seconded by Commissioner Estrich and carried unanimously.

4. Approval Of The Budget And Four Year Plan

This Item seeks review and approval of the Budget and Four Year Plan.

Motion made by Commissioner Estrich to approve Item 3a, seconded by Corporation Counsel Tim Ball and carried unanimously.

5. Budget Modification & Time Extension (2017-2020) Community Partnerships Initiative Contract

This item seeks permission to enter a CPI contract time extension and budget modification with the Community Based Organizations (CBO) selected to administer the Community Partnerships Initiative contract. The six groups are, Fillmore Leroy Area Residents, Heart of City Neighborhoods, Lt. Col. Matt Urban Center, Old First Ward Community Association, University District CDA, and West Side NHS.

The contract dates of July 1, 2017 through June 30, 2020 have been revised to include a three-month contract extension. The revised contract dates are July 1, 2017 through September 30, 2020.

The revised CBO contract budgets were determined by reviewing current program activities and existing contract balances. The funding amount, previously set at \$1,123,300, will be amended to \$1,212,100 with the increase of funds in the amount of \$88,800.

Motion made by Corporation Counsel Tim Ball to approve Item 5a, seconded by Council President Pridgen and carried unanimously.

6. DIVISION REPORTS (INFORMATIONAL ONLY)

Agenda Item 4 a, b and c, - BURA Housing and FCA (Informational Only)

Informational reports will be discussed at next Board Meeting.

There being no further business to discuss, Council President Pridgen made the motion to adjourn the meeting, seconded by Commissioner Estrich and carried unanimously. The meeting was adjourned at 9:53 am

Scott C. Billman
BURA Secretary

Risë Geller
Reported By

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