

BUFFALO URBAN RENEWAL AGENCY
November 20, 2008
ROOM 209

MEMBERS AND

OFFICERS PRESENT:

Andrew E. Eszak
Alisa Lukasiewicz, Corporation Counsel
Council President Franczyk
Commissioner Penksa
Council Member Kearns
Virginia Oehler

MEMBERS ABSENT:

Mayor Byron Brown
Council Member LoCurto
Commissioner Reilly

SECRETARY:

Scott C. Billman

OTHERS PRESENT:

Carla Kosmerl, OSP
Darryl McPherson, Division of Audit
Greg Bernas, OSP/BURA

Andrew Eszak called the meeting to order at 9:40 a.m. Council Member Kearns made the motion to waive the reading of the minutes of the **November 6, 2008** meeting, and that they are accepted; seconded by Corporation Council Lukasiewicz and carried unanimously.

COMMUNITY DEVELOPMENT BLOCK GRANT

Agenda Item 3a – Request for Budget Revision & Time Extension for the Community Based Organizations

Submitted to Agency Members for approval, is a request for a time extension and budget revision for our Community Based Organization (CBO) network to continue to participate in the Community Partnerships Initiative for the City of Buffalo. The revised service contract dates will be May 1, 2006 through April 30, 2009. Five CBOs will receive a budget for additional funds awarded to each agency. The remaining agencies will be allowed to request additional funds, once they have spent down their available balances.

Each of the seven groups received an original twelve-month contract and was eligible to receive up to \$40,000 in fee for service payments for performance and tasks listed in our approved work plan. Over the past two contract years, additional time extensions and budget revisions were granted after program evaluations determined that the agencies met or exceeded the proposed scope of services and spent down a majority of

the original allocation. If an agency has a significant contract balance, the CBO only received a contract extension with no additional funds.

Council President Franczyk made the motion to approve the item contingent on certification of funds by the Agency's Office of Administration and Finance and Agency Counsel approval of all Agreements; seconded by Corporation Council Lukasiewicz and carried unanimously.

OAK STREET REDEVELOPMENT/URBAN RENEWAL PLAN

Agenda Item 4a – Buffalo Niagara Medical Campus, North End Projects Draft Generic EIS: BURA Comments

Submitted to Agency Members for approval, is a request to amend the Urban Renewal Plan for the Oak Street Redevelopment Project. The Buffalo Niagara Medical Campus proposes to undertake development of major new medical facilities at the north end of the campus complex, which include: a Global Vascular Institute and an updated Emergency Department adjacent to the Buffalo General Hospital; a new Skilled Nursing Facility; and a 1600 space multi-modal transportation structure in the vicinity of the above. In addition, prior to implementing the ultimate development of the overall project, the two existing underlying Urban Renewal Plans, Oak Street and Fruit-Belt, governing the building requirements in the project area must be amended by the City of Buffalo and BURA. As this Board is aware, the requirements of the NY State Environmental Quality Review Act (SEQR) must be satisfied for these actions. The project is a "Type I Action" for which the Buffalo Planning Board, acting as the lead SEQR Agency, has caused the completion of a Draft Generic Environmental Impact Statement (DGEIS) by the applicant.

The Plan gives the Commissioner of the Urban Renewal responsibilities such as reviewing development projects and determining their conformance with the Plan. Subsequent to approval of the Plan, Amendments to the City Charter eliminated the position of the Commissioner of Urban Renewal.

To clarify the development process in the Plan and to protect developers, the Agency and the City of Buffalo from litigation, the Plan requires an amendment. Discussions with Vice Chairman, Andrew M. Eszak, Principal Planner Bill Grillo and BURA Counsel, Scott C. Billman have led to the suggestion that references in the Plan to the "Commissioner of Urban Renewal" be changed to the "Director of the Office of Strategic Planning or the Director's designee."

If the Board agrees with the above amendment, the proposed amendment must be sent to the U.S. Department of Housing and Urban Development for a determination as to whether the change is a "change in the basic element of the Plan." Assuming that HUD determines that the change does not meet this threshold, the suggested change "shall require approval by resolution of the City Planning Board, by ordinance of the Common Council of the City of Buffalo and by resolution of the Agency.

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Corporation Counsel Lukasiewicz made the motion to amend the Item so that the title reads “Executive Director”; seconded by Commissioner Penksa and carried unanimously.

Corporation Counsel Lukasiewicz made the motion to approve the item contingent on certification of funds by the Agency’s Office of Administration and Finance and Agency Counsel approval of all Agreements; seconded by Ms. Oehler and carried unanimously.

There being no further business to discuss, Alisa Lukasiewicz made a motion to adjourn the meeting; seconded by Council President Franczyk and carried unanimously.

The meeting was adjourned at 9:55 a.m.

The next regularly scheduled meeting will be held at **9:30 a.m., December 4, 2008**, in Room 209 City Hall, Buffalo, New York.

Respectfully submitted,

**Scott C. Billman
Secretary**

**Reported by:
Tracy A. Lasker**