



COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

September 19, 2022

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

**Re: Authorization to contract with the Urbandale Development Company for
Leased Space at Urbandale Plaza**

Dear Honorable Members:

Please find enclosed a resolution seeking legislative authorization to enter into a contract with the Urbandale Development Company for leased space at the Urbandale Plaza in Cheektowaga.

Should your Honorable Body require further information, please do not hesitate to contact me.

Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in black ink that reads "Michael P. Kearns". The signature is written in a cursive style with a long, sweeping underline.

Michael P. Kearns
Erie County Clerk

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Michael P. Kearns, Erie County Clerk
Re: Erie County Auto Bureau – Cheektowaga Branch
Date: September 19, 2022

SUMMARY

Currently, the County of Erie leases 9,158 square feet of space at the Urbandale Plaza to operate an auto bureau branch. The cost of this space is \$123,633 annually. This space provides more area than is necessary for employees and customers to maintain social distancing protocols, while conducting the types of transactions provided at the Cheektowaga branch. As the lease is expiring, this provides the opportunity to seek a location with a footprint which better meets the need of the employees and customers. The lease shall be in place for sixty (60) months, and includes 6,000 square feet.

The Erie County Clerk’s Office requests authorization to enter into a lease agreement with Urbandale Development Company to rent approximately 6,000 rentable square feet of space at the Urbandale Plaza, which is within the space currently occupied. This would allow enough space for employees and customers to appropriately conduct necessary business transactions.

The build-out costs associated with utilizing the reduced footprint are included as part of the lease terms. The reconfigured space will also provide immediate access for customers to a bathroom facility.

FISCAL IMPLICATIONS

The base rent shall be as follows:

Year 1:	\$ 90,000/annually
Year 2:	\$ 91,800/annually
Year 3:	\$ 93,636/annually
Year 2:	\$ 95,508/annually
Year 3:	\$ 97,419/annually

REASONS FOR RECOMMENDATION

The Erie County Auto Bureau – Cheektowaga Branch should be located in a space that fits the needs of customers and employees, without paying for an excessive footprint. The present opportunity arises as the lease for the current office is expiring. If a new lease is not entered into,

the facility will close and the County will lose revenue from the auto bureau transactions not completed.

CONSEQUENCES OF NEGATIVE ACTION

The Clerk's Office will not be able to locate a facility in Cheektowaga to generate anticipated and budgeted revenues for the County.

STEPS FOLLOWING APPROVAL

Upon approval of this resolution, the County Clerk will work with the County Attorney and Division of Budget and Management to enter into a lease for the premises.

A Resolution Submitted by the Erie County Clerk

Re: Authorization to contract with the Urbandale Development Company for Leased Space at Urbandale Plaza

WHEREAS, pursuant to New York State Vehicle and Traffic Law §205, the County Clerk shall act as an agent of the Commissioner of the Department of Motor Vehicles and in such capacity the Erie County Clerk operates the Erie County Auto Bureau; and

WHEREAS, pursuant to New York State Vehicle and Traffic Law §205, the County of Erie retains approximately 12.7% of all fees generated at Erie County Auto Bureau locations; and

WHEREAS, the Erie County Auto Bureau, at full operations, maintains six (6) branch locations and one (1) mobile unit throughout the County of Erie to provide convenient services to County residents; and

WHEREAS, one of those locations is currently located in Cheektowaga in the Urbandale Plaza; and

WHEREAS, the lease for that location is expiring, necessitating a new lease; and

WHEREAS, the County Clerk, recognizing a need to provide continued convenient in-person Auto Bureau services in Cheektowaga issued a request for proposals for a facility to serve those customers and (2) responses were received; and

WHEREAS, those responses were evaluated by a team in the County Clerk's Office and they determined the submission by Bella Vista Group as agent for Urbandale Development Company proposing to let space in the Urbandale Plaza in Cheektowaga to be the best proposal; and

WHEREAS, the Erie County Clerk's Office is requesting authorization to enter into a lease agreement with the Urbandale Development Company for the purpose of locating in the Urbandale Plaza in Cheektowaga.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie is hereby authorized to enter into an Agreement with the Urbandale Development Company for the purpose of locating the Erie County Auto Bureau – Cheektowaga Satellite in the Urbandale Plaza in Cheektowaga; and be it further

RESOLVED, that said Lease Agreement shall be for a term of sixty (60) months and include approximately 6,000 square feet with rental payments, including construction costs, as follows: Year 1: \$90,000; Year 2: \$91,800; Year 3: \$93,636; Year 4: \$95,508; Year 5: \$97,419; and be it further

RESOLVED, provided that the County is not in default of the terms of the Lease Agreement, the County shall be entitled to renew the lease for a consecutive five (5) year term, in an annual amount not to exceed a two percent (2%) annual increase in the base rent, at the County's sole discretion upon written notice to landlord; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the Erie County Executive; the Erie County Attorney; the Director of the Division of Budget and Management; and the Erie County Clerk.

Fiscal Impact: Lease amounts budgeted for; absence of location will result in reduced revenue for Erie County.