



EC LEG OCT 28 '22 AM 11:31

October 26, 2022

Honorable Members
Erie County Legislature
92 Franklin Street, 4th floor
Buffalo, NY 14202

Dear Legislators:

As the not-for-profit corporation designated by Erie County to perform Downtown Special District services, Buffalo Place Inc. presents its 2023 budget to the Erie County Legislature with our advice that \$1,850,241 be raised by mall district special charges and payments in lieu of special charges in 2023.

Buffalo Place Inc. held a public hearing on the 2023 budget on October 25, 2022 at 4:00 p.m. Notice of the hearing was sent to all property owners in the Special Charge District. Enclosed are the minutes of the public hearing. The Board of Directors of Buffalo Place Inc. and Buffalo Place Foundation approved the 2023 budget at its meeting on October 26, 2022 by a vote of 10 to 0.

We request that the Legislature adopt, on or before November 17, 2022, the attached resolution that approves the \$1,796,526 Special Charge Levy. As required by Section 4 of Erie County Local Law No. 8-1984, this amount does not exceed 80% of the aggregated service charges which could be assessed and levied. Additional payments in lieu of special charge are included in the budget in the amount of \$53,715.

Thank you for your consideration. Buffalo Place representatives welcome the opportunity to answer any questions the Legislature may have at the appropriate committee meeting.

Sincerely,

Michael T. Schmand
Executive Director

Enc.

cc: Hon. April N.M. Baskin
Robert M Graber

Hon. Howard Johnson Jr.
Scott A. Bylewski, Esq.

COMM. 19M-7
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Proposed Resolution

WHEREAS, the Erie County Legislature approved Local Law No. 8-1984, establishing a downtown pedestrian/transit mall special district; and

WHEREAS, the Erie County Legislature approved on December 19, 1985, a resolution authorizing the County Executive to enter into agreement with Downtown Buffalo Management Corporation, now known as Buffalo Place Inc., designating Buffalo Place Inc. as the not-for-profit corporation with which Erie County shall contract for the performance of mall special district services, for which annual contracts were executed in 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022 and

WHEREAS, the said Local Law requires that the mall corporation present an annual budget to the Legislature regarding the amount to be raised by mall district special charges; and

WHEREAS, pursuant to the said Local Law, Buffalo Place Inc. held a public hearing, on due notice to property owners within the district, regarding the proposed 2023 annual budget on October 25, 2022; and

WHEREAS, on October 30, 2013 the Board of Directors of Buffalo Place Inc. approved a resolution approving a payment in lieu of service charges for the HSBC Atrium Building and have included the same as part of its proposed 2023 budget.

NOW THEREFORE BE IT

RESOLVED, that the Erie County Legislature does hereby determine that the total amount to be raised by mall district service charges in 2023 shall be the sum of \$1,796,526 as contained in the attached budget which shall be a part of this Resolution, which amount does not exceed 80% of the service charges that could be assessed or levied against properties in the district; and be it further

RESOLVED, that the County of Erie be and hereby is authorized to enter into agreement with Buffalo Place Inc., the not-for-profit corporation described in Section 9 of Erie County Local Law No. 8-1984, providing for the performance by Buffalo Place Inc. of the mall special services set forth in Section 8 of said Local Law; the payment to Buffalo Place Inc. of the proceeds of the mall special district charges, less administrative costs, to be used by Buffalo Place Inc. in providing mall special district services; and such other terms and conditions as to the County Attorney appear necessary or appropriate for the implementation of Erie County Local Law No. 8-1984 and Chapter 673 of the Laws of 1982; and be it further

RESOLVED, that the Buffalo Place Inc. revenues, in addition to the special charges assessed as above set forth, include for the year 2023, \$18,000 in payment in lieu of service charges for KeyBank Center (1 Seymour H. Knox III Plaza, Buffalo, NY) and \$35,715 for HSBC Atrium Building (95 Washington Street, Buffalo, NY) totaling \$53,715 as set forth in said budget, and be it further

RESOLVED, that the Erie County Commissioner of Finance shall, not later than November 17, 2022, cause to be established a Mall District Special Charge Roll apportioning the amount herein above determined to be raised by mall district special charges and payment in lieu of special charges for 2023 in conformance with the formula set forth in Section 7 of Erie County Local Law N. 8-1984 using the latest available final general or special assessment roll prepared by The City of Buffalo; and be it further

RESOLVED, that certified copies of this resolution in its final form be forwarded to the Erie County Executive, the Mayor of the City of Buffalo, the Chairman and the Executive Director of Buffalo Place Inc., and the Erie County Commissioner of Budget and Management.



Memorandum

TO: Members of the Erie County Legislature

FROM: Keith M. Belanger, Chairman 
Michael T. Schmand, Executive Director 

DATE: October 26, 2022

SUBJECT: Buffalo Place 2023 Budget

Enclosed please find the 2023 budget for Buffalo Place Inc. and Buffalo Place Foundation as approved by the Buffalo Place Board of Directors at its meeting on October 26, 2022.

Highlights of the new budget include:

- The Special Charge Levy is set at \$1,796,526 with an additional \$53,715.00 in payments in lieu of special charges. This represents a 3% increase in the Special Charge Levy and the payment in lieu for the HSBC Atrium. The payment in lieu for KeyBank Center is unchanged.
- The 25th year of winter operation of Rotary Rink by Buffalo Place under supplementary contract with the City is also included.

We will be pleased to answer any questions you may have concerning this matter.



Secretary's Certificate

Downtown Mall Special District
Public Hearing

I, W. Morgan Smith, Deputy Executive Director of Buffalo Place Inc. and Buffalo Place Foundation, certify that on October 25, 2022 at 4:00 p.m., a public hearing was held at 671 Main Street pursuant to Erie County Local Law No. 8 – 1984, Section 7, paragraph B, at which time the combined 2023 Buffalo Place Inc. and Buffalo Place Foundation budget was presented, and that the attached minutes are a true and accurate copy of the minutes of such meeting.

I further certify that notice of the public hearing was sent to all owners of property in the downtown mall special district by first class mail, postage paid, on October 14, 2022.

W. Morgan Smith
Deputy Executive Director and Assistant Secretary
Buffalo Place Inc. and Buffalo Place Foundation

October 26, 2022

Minutes of the Public Hearing
on the Buffalo Place Inc. and Buffalo Place Foundation
Proposed 2023 Budget

Tuesday, October 25, 2022 4:00 p.m.
671 Main Street, Buffalo, NY

Present were:

Michael T. Schmand, Executive Director
W. Morgan Smith, Deputy Executive Director

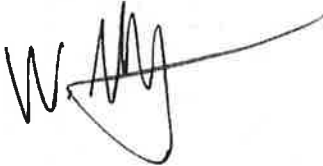
At 4:01 p.m. Mr. Schmand called the hearing to order.

Other than Mr. Schmand and Mr. Smith no one else attended the hearing.

Mr. Schmand and Mr. Smith discussed the budget, with an emphasis on the Operations and Ranger sections.

There being no other attendees or questions, Mr. Schmand adjourned the hearing at 4:10 p.m.

Respectfully submitted,



W. Morgan Smith
Deputy Executive Director