



**ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BUFFALO & ERIE COUNTY REGIONAL DEVELOPMENT CORP.
BUFFALO & ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORP.**

**Joint Governance Committee Meeting
January 26, 2023 at 12:00 p.m.
ECIDA Offices
95 Perry Street, 4th Floor Conference Room
Buffalo, New York 14203**

Agenda

1. Approval of Minutes – June 2, 2022 (Pages 2-4)
2. Review “ECIDA 2022 Mission Statement & Performance Measurements - Results” (Pages 5-19)
3. Review of “ECIDA 2023 Mission Statement & Performance Measurements – Goals” (Pages 20-28)
4. Discuss Next Steps
5. Adjourn

**MINUTES OF A MEETING OF THE
JOINT GOVERNANCE COMMITTEE OF THE
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECIDA),
BUFFALO & ERIE COUNTY REGIONAL DEVELOPMENT CORP. (RDC)
AND
BUFFALO & ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORP. (ILDC)**

- DATE:** June 2, 2022
- LIVE STREAMED:** This meeting is being live-streamed and made accessible on the Agency's website at www.ecidany.com.
- PRESENT:** Thomas Baines, Brenda McDuffie, Kenneth Schoetz, David State and Maria Whyte
- EXCUSED:** Hon. Howard Johnson and Tyra Johnson
- OTHERS PRESENT:** John Cappellino, President/CEO; Mollie Profic, Chief Financial Officer; Atiqa Abidi, Assistant Treasurer; Brian Krygier, Systems Analyst; Carrie Hocieniec, Operations Assistant and Robert G. Murray, Esq., General Counsel/Harris Beach PLLC
- GUESTS:** Zachary Evans on behalf of the County

There being a quorum present at 11:06 a.m., the Meeting of the Members of the Joint Governance Committee of the Erie County Industrial Development Agency (ECIDA), Buffalo and Erie County Regional Development Corporation (RDC) and the Buffalo and Erie County Industrial Land Development Corporation (ILDC) was called to order by its Chair, Ms. McDuffie.

MINUTES

The February 22, 2022 minutes of the joint meeting of the Governance Committee of the ECIDA, RDC and ILDC were presented. Upon motion made by Ms. Whyte and seconded by Mr. Schoetz, the approval of the February 22, 2022 meeting minutes was unanimously carried.

EXTENSION OF LEGAL CONTRACTS

At this point in time, Mr. Murray recused himself from the Committee meeting given that his law firm's contract is one of the contracts being considered for renewal.

Mr. Cappellino gave a brief background about the ECIDA's Professional Services Procurement Policy for the new members of the committee. The ECIDA has a Professional

Services Procurement Policy that sets up a number of different terms for contracts that are required by our Procurement Policy to RFP for professional services. Mr. Cappellino stated that the Agency has separate contract timing for its various professionals, like banking, accounting, and legal professional services, said timing running independently of each other. The Policy that was passed by the boards for professional services indicates that the maximum length of a contract extension that we can have with a professional service provider is 5-years. In 2019, when we last did the legal RFP, the action that was approved by the board included a 3-year upfront contract with two 1-year extensions to get us to 5-years. As you see in the memo that was sent out in your package, in late 2018, we went through an RFP process and brought recommendations from our working group. We did a number of interviews, we reviewed RFP's and we had 6 or 7 different legal firms that bid, and we made recommendation to the board for the slate of legal representation that you see before you.

Primary Counsels:

- | | | |
|----|-------------------------|----------------|
| 1) | General Counsel | Harris Beach |
| 2) | Tax-Exempt Bond Counsel | Hodgson Russ |
| 3) | Loan Counsel | Hurwitz & Fine |

Conflict Counsels:

- | | | |
|----|--------------------|----------------|
| 1) | General Counsel | Hurwitz & Fine |
| 2) | Tax-Exempt Counsel | Harris Beach |
| 3) | Loan Counsel | Hodgson Russ |

Mr. Cappellino advised that the Agency's staff reviews the professional services, prepares surveys and communicates to the legal firms if there are any issues that come up as a result of the performance of the legal teams. Mr. Cappellino reported that the 3-year period that staff has had a working relationship between the legal firms has been very positive. There have been no major concerns or issues. At this point, from the staff's perspective, we are requesting to exercise the option that would extend the contract through 2023 for all legal counsel and then at that point there would be one more extension that would be eligible under the original approval and probably would start the RFP process sometime towards the end of the next 1-year extension if the Agency were to do that. We would be required by our current policy to RFP for legal services again at that point in time.

This request does not have to go to the board of directors for approval. The way the approval was written, the Governance Committee may approve the 1-year extension as long as there are no major concerns from the staff or service provision to exercise the approval of the 1-year extension. Mr. Cappellino advised there were none for this 1-year extension.

Ms. Whyte stated she was comfortable with this assessment and very satisfied with our counsel.

Mr. Schoetz advised that he hasn't had any direct observation of the work of Hodgson Russ or Hurwitz & Fine. Mr. Schoetz stated that Harris Beach has done a really good job and Mr. Murray is very responsive and there have been no public snafus and based on Mr. Cappellino's comments, the internal work has been done correctly and guidance has been good. Mr. Schoetz would endorse the extension as set forth in the memo.

Ms. McDuffie stated that she concurred and thanked Ms. Whyte and Mr. Schoetz for their comments and that Harris Beach has been a counsel that the Agency can rely on. Harris Beach has a breath of experience and access to experience of the firm relative to their work with other IDA's as well as the legal work done locally. Ms. McDuffie stated she has had some interaction not only at the board level but also, in questions she has asked Mr. Murray. She stated he has been very responsive and offered good guidance and she wholeheartedly recommends and supports everyone else's comments relative to this matter.

Ms. Whyte moved and Mr. Schoetz seconded to approve of the proposed 1-year extension of the legal contracts proposed. Ms. McDuffie then called for the vote and the 1-year contract extension was unanimously approved.

There being no further business to discuss, Ms. McDuffie asked for a motion to adjourn the meeting. Ms. Whyte moved and Mr. Schoetz seconded, and meeting was adjourned at 11:17 a.m.

Dated: June 2, 2022

Gerald Manhard, Assistant Secretary

**Erie County Industrial Development Agency (ECIDA)
Buffalo & Erie County Industrial Land Development Corp. (ILDC)
Buffalo & Erie County Regional Development Corporation (RDC)**

2022 Mission Statement and Performance Measurements with Results

Approval Date of Goals: March 23, 2022

Approval Date of Results: March 22, 2023

Purpose:

The Public Authorities Law requires public authorities to develop and adopt a mission statement and to develop performance measures to assist them in determining how well they are carrying out their mission. The Authorities Budget Office (ABO) requires that all public authorities utilize the following format to annually review their mission statement and performance measures and publish a measurement report. This report is designed to satisfy these requirements.

Please note: The ECIDA publishes an annual report outlining detailed project information and accomplishments called "Year in Review." The Year in Review is on the ECIDA's website at <https://www.ecidany.com> under "About Us" then "Annual Reports".

Mission Statement:

The mission of the Erie County IDA and its affiliates is to provide the resources that encourage investment, innovation, workforce development and international trade resulting in a successful business climate focused on growth, economic stability, job creation and retention for businesses and individuals which improves the quality of life for the residents of the region.

Performance Goals, Measures & Results:

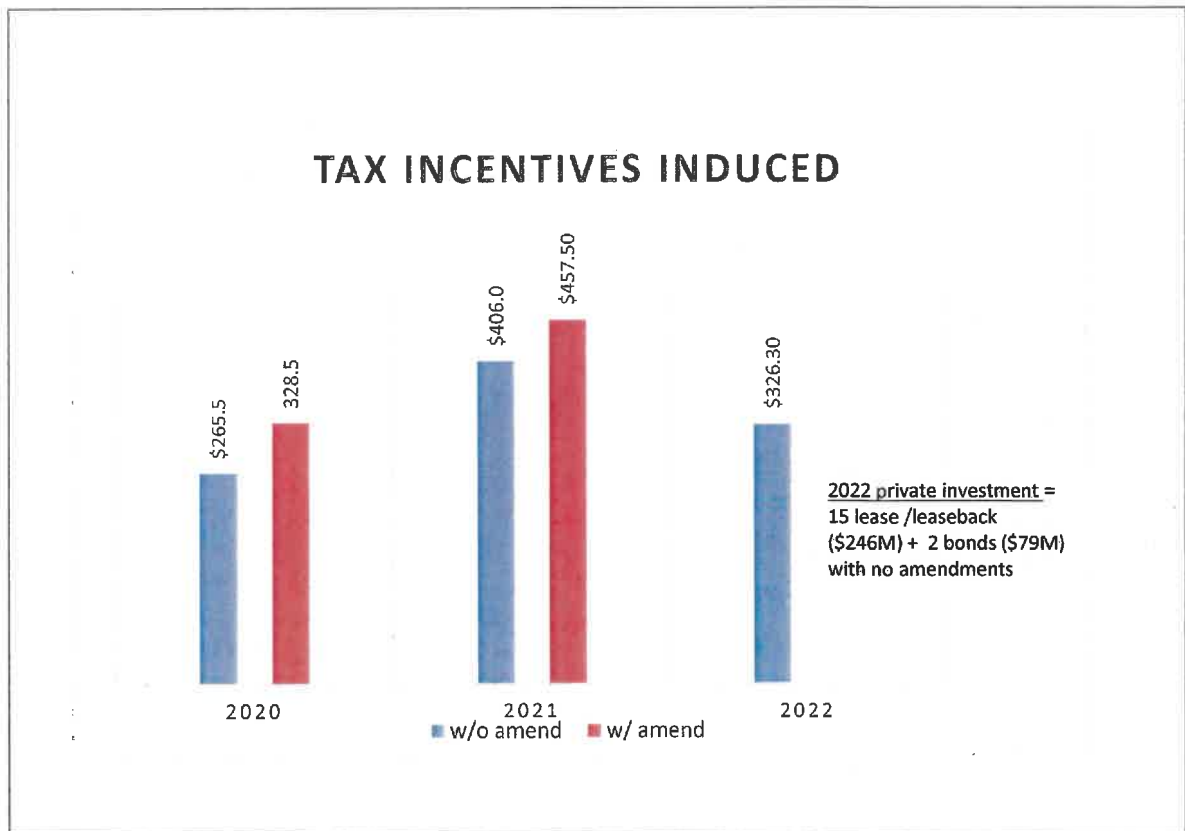
Goal 1: To promote private investment & innovation:

Objective 1A: ECIDA: Encourage private sector investment by providing incentives and other economic development services to spur eligible development projects.

Measurement: Value of new private investments from tax incentives

Metric: \$225 - \$250 M in private investment from approved tax incentives.

Results: A total of 17 projects with a total private investment amount = \$326.3M were approved (no amendments). This included tax incentives associated with 2 ECIDA bonds. In 2022 the ECIDA, along with the IDAs in Amherst, Clarence, Hamburg & Lancaster updated the Countywide Industrial Development Agency Uniform Tax Exemption Policy (UTEP) Changes made include restating PILOT schedules to better align the benefit period with the project timeline, adding alternative energy PILOT policies and a general update to various components of the UTEP that hadn't been updated in over a decade.



Objective 1B: RDC: Provide “gap financing” to spur the creation of new businesses and private-sector investment in working capital, machinery and equipment.

Measurement: Number of loans, \$ amount of loans and amount of private investment for loans approved

Metric: 8 – 10 Business loans approved for a total of \$3 M in new business loans with a private investment amount = \$8 M.

Results: In 2022, the RDC approved 9 loans from the Legacy Fund for \$6.98M with \$48.7M in private investment.

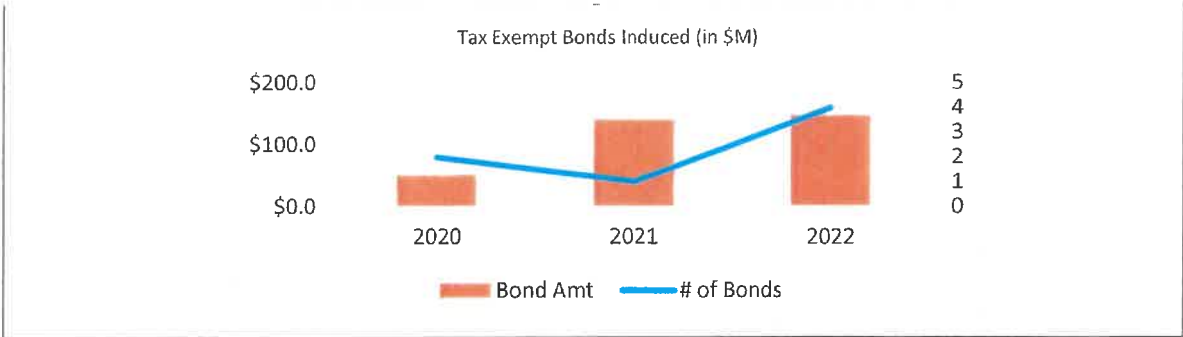


Objective 1C: ECIDA & ILDC: Assist non-profit and other eligible borrowers to obtain low-interest, tax-exempt bond financing.

Measurement: Value of private investments from low-interest financing provided to non-profit organizations

Metric: 1 -2 tax exempt bonds totaling \$30 – \$35 M

Results: 4 tax exempt bonds totaling \$146.6M were approved in 2022. An \$80M bond (Joint School Construction Board) accounts for 55% of the total approved. Two multi-family housing project bonds will allow for the renovation of 320 apartment units of which 250 units (78%) are Section 8 / 60% AMI.

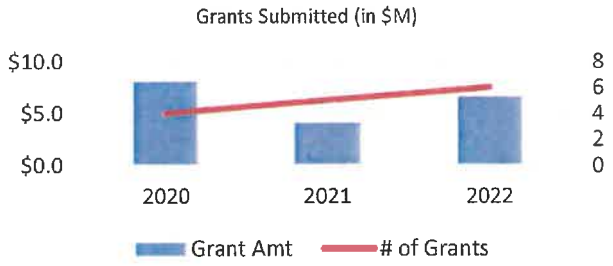


Objective 1D: ECIDA & ILDC: Pursue state, federal and private funding opportunities to support priority projects & leverage private investment.

Measurement: Number and \$ amount of grant applications submitted

Metric: 4 – 5 grants submitted for \$1.5 - \$2 M.

Results: 6 grant applications were submitted for a total of \$6.6 M. 2 grants have been awarded for \$48,000, 2 grants are pending approval (\$4.73M) and 2* grants (\$1.83M) were not selected for funding. Additional Note: Currently the ECIDA is administering six grants totaling \$3.5M. Grant administration activities include: implementation, consultant selection, financial administration, and reporting (MWBE, status, final & closeout).



*1 of 2 grants not selected for funding will be resubmitted for funding in 2023

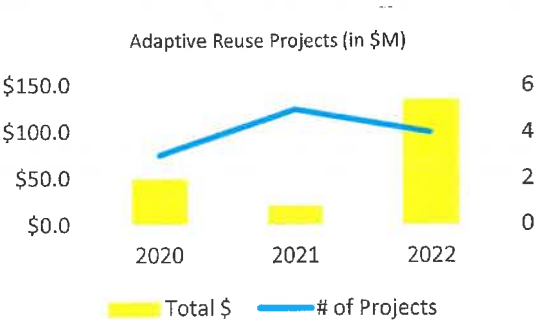
Goal 2: To support business formation, job growth, and economic expansion targeting economically challenged and disadvantaged communities:

Objective 2A: ECIDA & ILDC: Support the re-investment in vacant, abandoned and underutilized buildings.*

Measurement: Number and investment value of adaptive re-use building projects

Metric: 5 - 6 adaptive reuse projects approved totaling \$150 - \$175 M

Result: Four adaptive reuse projects were approved with total private investment = \$ 135.7M. These projects will create a total of 296 apartment units of which 74 units (25%) will be available at 80% AMI (or below). All 4 projects are in distressed census tracts.



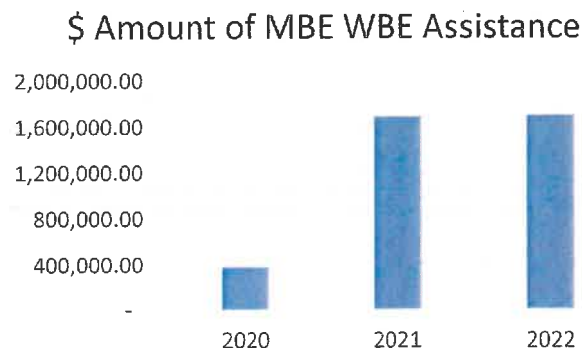
*Three of the six grant applications submitted by the ECIDA (see objective 1D) directly support the revitalization of vacant / underutilized properties that are historic structures, located in the Village of Angola.

Objective 2B: ECIDA & RDC: Support the creation and growth of small business and minority & women-owned businesses (MWBE).

Measurement: Number and \$ amount of MWBE business loans, tax incentives and PPE Reimbursement grants

Metric: \$250,000 in assistance to 5 – 7 MWBEs

Results: 5 MWBEs received assistance totaling over \$1.69M: 1 loan (\$400,000), 2 PPE grants (\$7,937) and 2 tax incentives (\$1.29M)



Objective 2C: ECIDA, ILDC & RDC: Formalize MBE/WBE procurement goal for Agency – Operational Purchases.

Measurement: Procurement goal \$ amount and % spent with MWBE vendors

Metric: Vendor Operational Purchases of \$18,000 / 30% MWBE: office supplies, catering, equipment leasing etc.

Results: A total of \$107,000 of operational purchases were identified (major categories were office supplies, IT services/hardware/software, and printing/marketing). Of that total, \$14,800 (13.8%) were from known M/WBEs. \$11,120 (10.4%) were from WBEs and \$3,680 (3.4%) were from MBEs. While ECIDA did not meet our 2022 goal, we did nearly triple our annual spend with an MBE office supply vendor and increase our overall spend with WBEs by 15%.

Objective 2D:	ECIDA, ILDC & RDC: Formalize MBE/WBE procurement goal for Agency– Other purchases.
Measurement:	Procurement goal \$ amount and % spent with MWBE vendors
Metric:	Meet 100% of the following measures - <u>Professional services</u> including 30% MWBE for engineering/design, <u>Construction service</u> that includes 30% MWBE for contract utilization and <u>RFPs and/or bids scoring</u> – that includes MWBE utilization and/or D&I initiatives valued at 10% of the scoring index
Results:	<p>Professional Services: 100% compliance: 2 RFP/bids issued in 2022 with value = \$ 169,400 included 30% MWBE have been awarded to vendors with commitment to 30% MWBE for a value of \$137,361.</p> <p>Construction Services 100% compliance: 2 bids issued in 2022 with a value of \$6.5 million included 30% MWBE goal have been awarded to vendors with a commitment to 30% MWBE for a value of \$1,819,018.</p> <p>RFPs and/or Bids Scoring: 100% of RFPs included scoring value = 10% for MBE/WBE commitment.</p>

Objective 2E:	ECIDA, ILDC & RDC: Create a formal diversity, equity & inclusion policy for the organization focusing on staff development and employment goals.
Measurement:	Implement training re: Racial Equity
Metric:	1) Formalize Racial Equity training as part of online onboarding capabilities through new HR software and 2) provide two or more continuing educational / training opportunities for staff on DEI
Results:	Training added as part of onboarding. For ECIDA's 2 hires in 2022: 1 completed D&I training, the 2 nd (joined 4th Q) will receive D&I training in 2023. Two DEI trainings: ECIDA purchased a corporate pass for 6/16/22 BNP "D&I Symposium: DE&I at work" – attended by staff. Staff members also attended BNP's 10/18/22 "Get The Results: Employing DEI in WNY – 2022." The ECIDA funded a portion of the study and was a "Title Sponsor."

Objective 2F: ECIDA: Support the creation and retention of jobs at all salary levels.

Measurement: Total # and average \$ of jobs to be retained & created. For informational purposes include salary info re: management, professional, administrative, production, independent contractor and other.

Metric: Average salary for retained and created jobs at \$45,000 - \$50,000

Results: In 2022 the average salary for the 946 jobs retained and 239 jobs created per tax incentive projects = \$69,849. The total annual payroll amount = \$86M

Category	# jobs	Salary w/o Fringe	Salary w/ Fringe
Management	322	\$102,650	\$125,274
Professional	306	\$65,260	\$82,583
Administrative	91	\$41,349	\$50,188
Production	452	\$53,109	\$71,038
Independent Contractor	0	\$0	\$0
Other	14	\$30,968	\$38,223

Objective 2G: ECIDA, RDC & ILDC: Reach out to Erie County businesses to inform them of ECIDA and other business support services available.

Measurement: Number of business outreach attempts (including marketing communication efforts)

Metric: 20,000 business outreach contacts

Results: In 2022 business outreach contacts = 23,744. The outreach efforts include both direct business development contacts, event participation, presentations at sponsored & non sponsored events, and direct marketing communication activities (direct mailers, marketing email clicks and podcast listeners).

Objective 2H: ILDC: Support reinvestment in vacant and abandoned brownfield properties for the purpose of creating shovel-ready sites, new investment, and jobs.

Measurement: Number of acres of land redeveloped / in the process of redevelopment and public/private investment amounts

Metric: 400 acres of land under management

Results: Continued management & redevelopment of approx 490 acres of land: 250 acres vacant and/or brownfield and 240 acres of redevelopment for the Agribusiness Park. As a result of continued land sales and RFP offerings the overall acreage under ownership or management at Renaissance Commerce Park decreased from 250 acres to 175 acres as a result of property sales, to TMP, Uniland Dev and an RFP for Ciminelli Dev. 2022 investment, \$6.5 million of public investment and private investment of \$14. 5 million - completion of construction of 8 Dona facility.

- Construction of new water tower at Agri-business park to provide additional water service to the Town of Evans and the Agri-business Park
- Shoreline Trail Monument and Landscape Study Underway at RCP
- Consultant hired to study passive park feasibility
- Negotiated agreement for rail relocation for balance of business park II sites 42 acres at RCP
- RFP awarded to Ciminelli Development for acquisition and development of up to 34 acres
- Began design work for Utility extensions at Ridge Road and Odell St
- Road B construction completed
- Sewer and Water Line Project Bid and Construction Underway
- TMP Ribbon Cutting
- 8 Dona Street Facility Substantially Completed, New Tenant to take occupancy in early 2023
- Closed on sale to Uniland Development for 2nd Spec. Building site 12 acres

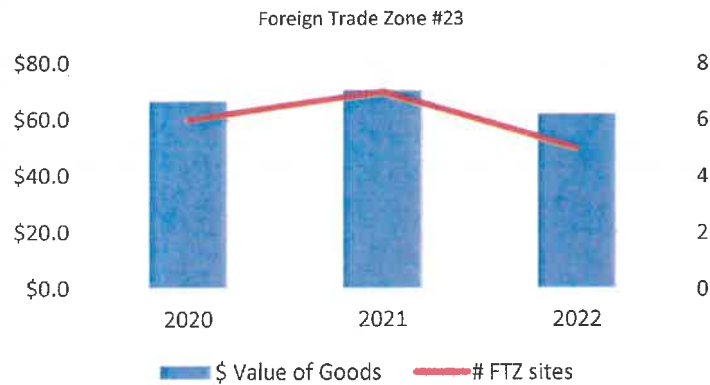
Goal 3: To encourage international trade:

Objective 3A: ECIDA: Promote & support the use of Erie County's foreign trade zone (FTZ) to assist businesses in remaining globally competitive by reducing, eliminating or deferring import duties.

Measurement: Value of goods moving through FTZ #23 & # of FTZ activated sites

Metric: A total of 6 FTZ sites with goods valued at \$62 M moving through the zone.

Results: \$62.2M in goods moved through the FTZ in 2021.* Active FTZ #23 sites decreased to 5 for 2021 due primarily to the shutdown of the Canadian Border and strict COVID protocols.



* due to FTZ reporting lag – the prior year's results will be listed)

Goal 4: Business Resiliency Post COVID:

Objective 4A:	ECIDA, RDC, ILDC: Assist Erie County businesses post COVID.
Measurement:	Provide a roadmap for business resiliency
Metric:	Approval of an Updated 2022 Community Economic Development Strategy (CEDS) that includes a Post COVID-19 Economic Recovery Response Addendum that will provide action steps for responding to the economic injury/disruption caused by the coronavirus pandemic
Results:	The final 2022-2026 CEDS, including a resiliency & post-pandemic toolkit, was formally adopted by the ECIDA's Board of Directors on 7/27/22 and accepted by the U.S. Economic Development Administration (EDA) on 8/25/22. Economic and community resiliency is incorporated throughout the 2022 CEDS matrix, with several actions reinforcing resiliency through enhanced: Economic Vitality, Community Connectivity and Capacity Building. Additional resiliency related actions within the plan include: 1) repairing and modernizing infrastructure, 2) preparing a resilient workforce and 3) improving public transportation that enhances community connectivity.

Objective 4B:	ECIDA RDC, ILDC: Support Small Businesses in Erie County Consortium Communities whose owners have low to moderate household incomes.
Measurement:	Provide administrative support for the Erie County Microenterprise Loan and other programs funded by Community Development Block Grant funds
Metric:	Approve 5-7 loans for \$150,000
Results:	In 2022, the ILDC closed 14 micro enterprise loans for \$435,000 with \$152,551 in private investment. Six of the 14 loans (43%) were to Woman or Veteran owned businesses.

Goal 5: To safeguard the public's investment by ensuring compliance and transparency with ECIDA Policies & Procedures, NYS Tax, EDA and ABO requirements:

Objective 5A: ECIDA: Client compliance with material terms including local labor, employment retention & creation, investment, pay equity and unpaid real property tax policies.

Measurement: Analysis of quarterly employment & local labor reports, review of investment verifications, completion of pay equity audits by Erie County office of EEO and real property tax payments through the Erie County Commissioner of Real Property Services

Metric: 100% compliance

Results: Collected, reviewed and analyzed 102 employment reports on quarterly basis; 100% of client material terms reporting and filing were met including for the 3/31/23 ABO annual report. As a result of the pandemic, there were 10 companies that did not meet their employment requirement due to the pandemic. The Board passed a resolution providing relief from recapture procedures for those companies that demonstrated employment impacts from the pandemic and economic shutdown.

Objective 5B: ECIDA: Client compliance with the New York State Sales and Use Tax program.

Measurement: Review of clients' ST-340 forms and the amount of the sales tax savings approved by the Board of Directors to ensure that the amount of the sales tax savings that clients report does not exceed the board approved amounts

Metric: 100% client compliance

Results: Collected and analyzed 43 client ST-340 reports, finding 100% compliance for 3/31/23 reporting of clients not exceeding approved sales tax limits. Sales tax amounts exceeding approved limits were collected and submitted to NYS.

Objective 5C: ECIDA, RDC & ILDC: Compliance with ABO's deadlines and regulatory requirements.

Measurement: Timely and accurate filing of the annual PARIS reports, budget and financial audits

Metric: 100% compliance

Results: The Agency is on track to meet filing requirements of the ABO's 3/31/23 reporting deadline

Objective 5D: ECIDA, RDC & ILDC: Board Member compliance with ABO regulatory requirements.

Measurement: Board completion of the annual Board of Directors Self Evaluation, execution of the Acknowledgement of Fiduciary Duties & Responsibilities forms, and completion of the required ABO board member training

Metric: 100% compliance

Results: The Agency is on track to meet filing requirements of the ABO's 3/31/23 reporting deadline

Objective 5E: RDC: Ensure proper controls and safeguards over the administration of the Revolving loan fund (RLF).

Measurement: Obtain the highest audit rating from the ECIDA designated auditors.

Metric: Receive a "satisfactory" rating on the RLF Audit

Results: The RDC received an unmodified opinion on the audit of compliance of the revolving loan fund.

Objective 5F: RDC: Ensure proper controls and safeguards over the administration of the new \$5 Mil EDA CARES Act revolving loan fund (RLF).

Measurement: Obtain the highest rating from the U.S. Dept of Commerce: Economic Development Administration (EDA) on the quality / health of the RLF administered by the RDC

Metric: Receive an "A" rating from the EDA.

Results: The disbursement period for this RLF ended June 30, 2022. EDA has not yet issued risk ratings for the CARES Act RLF.

Governance Certification

1. Have the board members acknowledged that they have read and understood the mission of the public authority?

Board of Directors response: Yes

2. Who has the power to appoint the management of the public authority?

Board of Directors response: The Board of Directors

3. If the Board appoints management, do you have a policy you follow when appointing the management of the public authority?

Board of Directors response: The Board has not adopted a written policy. However, the Board follows prudent and reasonable practices to appoint responsible individuals.

4. Briefly describe the role of the Board and the role of management in the implementation of the mission.

Board of Directors response: The role of the Board regarding the implementation of the public authority's mission is to provide strategic guidance, oversight, mission authorization, policy setting and validation of the authority's mission, performance measurements and results. The role of management is to collaborate with the Board in strategy development and to implement established programs, processes, activities and policies to achieve the public authority's mission.

5. Has the Board acknowledged that they have read and understood the responses to each of these questions?

Board of Directors response: Yes

**Erie County Industrial Development Agency (ECIDA)
Buffalo & Erie County Industrial Land Development Corp. (ILDC)
Buffalo & Erie County Regional Development Corporation (RDC)**

2023 Mission Statement and Performance Measurements

Approval Date of Goals: March 22, 2023

Approval Date of Results: March 2024

Purpose:

The Public Authorities Law requires public authorities to develop and adopt a mission statement and to develop performance measures to assist them in determining how well they are carrying out their mission. The Authorities Budget Office (ABO) requires that all public authorities utilize the following format to annually review their mission statement and performance measures and publish a measurement report. This report is designed to satisfy these requirements.

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Performance Goals, Measures & Results:

Goal 1: To promote private investment & innovation:

Objective 1A: ECIDA: Encourage private sector investment by providing incentives and other economic development services to spur eligible development projects.

Measurement: Value of new private investments from tax incentives

Metric: \$250 - \$275 M in private investment from approved tax incentives.

Results:

Objective 1B: RDC: Provide “gap financing” to spur the creation of new businesses and private-sector investment in working capital, machinery and equipment.

Measurement: Number of loans, \$ amount of loans and amount of private investment for loans approved

Metric: 6-8 business loans totaling \$2 M with private investment = \$5 M. Currently, the RDC has limited lending capacity (majority of funds have been deployed). As of Jan ‘23, the RDC has approximately \$750k in funds to lend and expects this amount to increase due to monthly principal reflow = approx. \$200,000.

Results:

Objective 1C: ECIDA & ILDC: Assist non-profit and other eligible borrowers to obtain low-interest, tax-exempt bond financing.

Measurement: Value of private investments from low-interest financing provided to non-profit organizations and qualified private activity bond projects.

Metric: 1 -2 tax exempt bonds totaling \$30 – \$35 M

Results:

Objective 1D: ECIDA & ILDC: Pursue state, federal and private (grant) funding opportunities to support priority projects and leverage private investment. Administer projects that have received grant funding.

Measurement: Number and \$ amount of grant applications submitted. Number and \$ amount of grant funds under administration.

Metric: 4 – 5 grants submitted annually for \$1.5 - \$2 M. 2- 4 grants totaling \$1.5 – 2 M under administration.

Results:

Goal 2: To support business formation, job growth, and economic expansion targeting economically challenged and disadvantaged communities:

Objective 2A: ECIDA & ILDC: Support the re-investment in vacant, abandoned, and underutilized buildings.

Measurement: Number and investment value of adaptive re-use building projects

Metric: 5 - 6 adaptive reuse projects approved totaling \$150 - \$175 M

Result:

Objective 2B: ECIDA ILDC & RDC: Support the creation and growth of small business and minority & women-owned businesses (MWBE).

Measurement: Number and \$ amount of direct assistance through Agency product offerings to MWBEs (i.e. business loans, tax incentives). Procurement goal \$ amount and % spent with MWBE vendors for both operational and other purchases.

Metric: \$250,000 in direct assistance to 5 – 7 MWBEs.

Vendor Operational Purchases of \$18,000 / 30% MWBE (i.e. office supplies, catering, equipment leasing).

Other Purchases: Meet 100% of the following: 1) Professional services including 30% MWBE for engineering/design, 2) Construction service that includes 30% MWBE for contract utilization and 3) RFPs and/or bids

scoring – that includes MWBE utilization and/or D&I initiatives valued at 10% of the scoring index

Results:

Objective 2C: ECIDA, ILDC & RDC: Support diversity, equity & inclusion with a focus on staff development

Measurement: Provide training opportunities re: Racial Equity

Metric: Provide two or more continued educational / training opportunities for staff on DEI

Results:

Objective 2D: ECIDA: Support the creation and retention of jobs at all salary levels.

Measurement: Total # and average \$ of jobs to be retained & created. For informational purposes include salary info re: management, professional, administrative, production, independent contractor and other

Metric: Average salary for retained and created jobs at \$50,000 - \$55,000

Results:

(note: include average salaries in various job categories and the total payroll amount).

Objective 2E: ECIDA, RDC & ILDC: Reach out to Erie County businesses to inform them of ECIDA and other business support services available.

Measurement: Number of business outreach attempts (including marketing communication efforts)

Metric: 20,000 business outreach contacts

Results:

Objective 2F: ILDC: Support reinvestment in vacant and abandoned brownfield properties for the purpose of creating shovel-ready sites, new investment, and jobs.

Measurement: Number of acres of land redeveloped / in the process of redevelopment and public/private investment amounts

Metric: 350 acres of land under management

Results:

Goal 3: To encourage international trade:

Objective 3A: ECIDA: Promote & support the use of Erie County's foreign trade zone (FTZ) to assist businesses in remaining globally competitive by reducing, eliminating, or deferring import duties.

Measurement: Value of goods moving through FTZ #23 and # of FTZ activated sites

Metric: A total of 6 Active FTZ Sites with goods valued at \$62 million moving through the zone.

Results:

(note: due to FTZ reporting lag – the prior year's results will be listed)

Goal 4: Regional & Business Resiliency:

Objective 4A: ECIDA, RDC, ILDC: Assist businesses throughout Erie County.

Measurement: Provide a roadmap for business resiliency.

Metric: Implement the Updated 2022 Community Economic Development Strategy (CEDS) that includes a Post COVID-19 Economic Recovery Response Addendum that will provide action steps for responding to the economic injury/disruption caused by the coronavirus pandemic

Results:

Objective 4B: ECIDA RDC, ILDC: Support Small Businesses in Erie County Consortium Communities whose owners have low to moderate household incomes.

Measurement: Provide administrative support for the Erie County Microenterprise Loan and other programs funded by Community Development Block Grant funds

Metric: Approve 5-7 loans for \$160,000, which represents the remaining funds available for lending from the Erie County Microenterprise Loan program. The ECIDA will continue to service, support and market the lending program to the eligible consortium communities.

Results:

Goal 5: To safeguard the public's investment by ensuring compliance and transparency with ECIDA Policies & Procedures, NYS Tax, EDA and ABO requirements:

Objective 5A: ECIDA: Client compliance with material terms including local labor, employment retention & creation, investment, pay equity and unpaid real property tax policies.

Measurement: Collection and analysis of quarterly employment & local labor reports for all active projects, review of investment verifications, facilitate completion of pay equity audits by Erie County office of EEO and real property tax payments through the Erie County Commissioner of Real Property Services

Metric: 100% compliance

Results:

Objective 5B: ECIDA: Client compliance with the NYS Sales and Use Tax program.

Measurement: Monitor and review of clients' ST-340 reporting forms against the amount of the sales tax savings approved by the Board of Directors to ensure that the amount of the sales tax savings that clients report does not exceed the board approved amounts.

Metric: 100% client compliance

Results:

Objective 5C: ECIDA, RDC & ILDC: Compliance with ABO's deadlines and regulatory requirements.

Measurement: Timely and accurate filing of the annual PARIS reports, budget and financial audits

Metric: 100% compliance

Results:

Objective 5D: ECIDA, RDC & ILDC: Board Member compliance with ABO regulatory requirements.

Measurement: Board completion of the annual Board of Directors Self Evaluation, execution of the Acknowledgement of Fiduciary Duties & Responsibilities forms, and completion of the required ABO board member training

Metric: 100% compliance

Results:

Objective 5E: ECIDA, ILDC & RDC: Ensure proper controls and safeguards over the financial reporting and assets of the organizations.

Measurement: Annual independent audit reports of all entities.

Metric: Audit opinions and management letter.

Results:

Objective 5F: RDC: Ensure proper controls and safeguards over the administration of the new \$5 Mil EDA CARES Act revolving loan fund (RLF).

Measurement: Obtain the highest rating from the U.S. Dept of Commerce: Economic Development Administration (EDA) on the quality / health of the RLF administered by the RDC

Metric: Receive an "A" rating from the EDA.

Results:

Governance Certification

1. Have the board members acknowledged that they have read and understood the mission of the public authority?

Board of Directors response: Yes

2. Who has the power to appoint the management of the public authority?

Board of Directors response: The Board of Directors

3. If the Board appoints management, do you have a policy you follow when appointing the management of the public authority?

Board of Directors response: The Board has not adopted a written policy. However, the Board follows prudent and reasonable practices to appoint responsible individuals.

4. Briefly describe the role of the Board and the role of management in the implementation of the mission.

Board of Directors response: The role of the Board regarding the implementation of the public authority's mission is to provide strategic guidance, oversight, mission authorization, policy setting and validation of the authority's mission, performance measurements and results. The role of management is to collaborate with the Board in strategy development and to implement established programs, processes, activities and policies to achieve the public authority's mission.

5. Has the Board acknowledged that they have read and understood the responses to each of these questions?

Board of Directors response: Yes