

**BUFFALO FISCAL STABILITY AUTHORITY**  
**Governance Committee Meeting Minutes**  
**December 6, 2017**

---

The following are the minutes from the meeting of the Governance Committee (the “Committee”) of the Buffalo Fiscal Stability Authority (the “BFSA”) held on Wednesday, December 6, 2017 in the first-floor conference room of the Buffalo Market Arcade Complex. The meeting was called to order at 12:43 PM.

**Committee Members Present**

Committee Chair R. Nils Olsen (via video)  
Interim Vice-Chair Jeanette T. Jurasek  
Secretary George K. Arthur

**Additional Directors Present**

Director Frederick G. Floss  
Director Frank B. Mesiah  
County Executive Mark Poloncarz (proxy Cornell)

**Staff Present**

Executive Director Jeanette M. Robe  
Principal Analyst/Media Liaison Bryce E. Link  
Senior Financial Analyst II/Manager of Technology Nathan D. Miller  
Administrative Assistant Nikita M. Fortune

**Additionally Present**

None

**Opening Remarks**

Secretary George K. Arthur proctored the meeting and called the roll. A quorum was confirmed; the meeting commenced. Secretary Arthur welcomed everyone to the December Governance Committee meeting, thanked all that were in attendance, reviewed the logistics of the meeting, and the meeting’s agenda. The agenda included the following:

- BFSA’s proposed 2018 Board meeting calendar;
- BFSA’s proposed fiscal year (“FY”) 2018-19 Minority and Woman-Owned Business Enterprise (“MWBE”) goal plan;
- BFSA’s proposed FY 2018-19 Service-Disabled Veteran-Owned Business (“SDVOB”) development goals.

### **Approval of Minutes**

Secretary Arthur introduced Committee Resolution No. 17-03: “Approving Minutes and Resolution from September 25, 2017.”

Committee Chair Olsen offered a motion to approve Committee Resolution No. 17-03.

Interim Vice Chair Jurasek seconded the motion.

The Committee voted 3-0 to approve Resolution No. 17-03.

### **2018 Board Meeting Calendar**

Secretary Arthur advanced the agenda to review and receive the 2018 BFSAs meeting schedule as prepared by staff. Staff indicated no conflicts have been reported.

Interim Vice-Chair Jurasek made a motion to forward the calendar to the full Board with a recommendation for approval.

Chair Olsen seconded the motion.

The Committee voted 3-0 to forward the 2018 Board meeting calendar to the full Board with a recommendation for approval.

### **MWBE and SDVOB Goals**

Secretary Arthur advanced to the next items on the agenda, the MWBE and SDVOB goals for 2018-2019 and gave Ms. Robe the floor to review the two plans. Ms. Robe stated there is a searchable database provided for SDVOB vendors which is a State level certification, unlike MWBE certification which is granted on a City, County or State level and all three vendor lists are independent of each other. For state agencies and public authorities to obtain credit for using an MWBE vendor, the vendor must be registered with the State as an MWBE. Chair Olsen asked if it is possible to request that the State be more flexible in order to meet and exceed MWBE usage goals. Ms. Robe stated another letter can be drafted with that request. Director Floss asked if inviting Assemblywoman Crystal Peoples-Stokes to attend a BFSAs board meeting to discuss MWBE issues would help. Chair Olsen agreed with Director Floss’s suggestion and stated the current structure limits the ability for agencies to reach their MWBE utilization goal. Ms. Robe stated different outreach efforts are being made and a BFSAs staffer attends City MWBE meetings to obtain insight on how the City is encouraging MWBE participation on City contracts. A coordinated effort would be valuable between all the different levels of government. The goal plan will be filed with the State on January 15, 2018. Ms. Robe clarified that the BFSAs does not monitor MWBE compliance for the City.

Ms. Robe stated the goals are derived from the Governor’s stated goal of 30% for MWBE participation on contracts; the BFSAs has evenly distributed the goal as 15% MBE and 15% WBE participation. The BFSAs does not have many new contracts; however, when the need for contracts arise the BFSAs will build in the MWBE and SDVOB goals into the request for proposal or contract. Most BFSAs expenditures are for staff and legal expenses, therefore the amount available under Article 15-A spending is relatively small and consists of furniture and

office supply purchases and is budgeted in total for approximately \$9,000, to which the MWBE goals are applied.

Ms. Robe stated SDVOB goals represent a new program of NYS, which has established a goal of 6% which is considered aggressive as it exceeds the goals established in all other states. Currently, there are SDVOB vendors for office supplies which makes reaching our goal much more accessible for the upcoming fiscal year.

Secretary Arthur asked what the penalties are for not meeting the MWBE and/or SDVOB goals. Ms. Robe stated agencies and authorities that do not meet their goals and placed on a published list. Ms. Robe stated the MWBE office of Empire State Development (“ESD”) would know what penalties, if any, have been levied against agencies for not meeting their goals. Secretary Arthur asked that staff reach out to ESD for that information.

Chair Olsen stated because the BFSAs oversees City finances it is appropriate for the BFSAs to reach out the Assemblywoman Peoples-Stokes to discuss the issue further.

Chair Olsen moved that the item be forwarded to the full Board for approval regarding the BFSAs’s 2018-19 MWBE and SDVOB goals.

Interim Vice-Chair Jurasek seconded this motion.

The Committee voted 3-0 to forward the BFSAs’s 2018-19 MWBE and SDVOB goals to the full Board for consideration.

### **Adjournment**

Secretary Arthur offered an opportunity for any new business to be addressed. Hearing none, he noted the conclusion of the Governance Committee meeting.

Chair Olsen made a motion to adjourn the meeting. Interim Vice-Chair Jurasek seconded.

The Committee voted 3-0 to adjourn the Governance Committee meeting. The Committee adjourned at 12:53 PM.