

MINUTES

NEW HIGHMARK STADIUM COMMUNITY BENEFITS OVERSIGHT COMMITTEE

February 24, 2025

Downtown Central Library, Collections Gallery Conference Room
1 Lafayette Square, Buffalo, NY 14203
Monday, February 24, 2025

The CBOC convened for its tenth meeting on Monday, February 24, 2025, at the Downtown Central Library in Buffalo, NY. The meeting was conducted in person and via videoconference and public notice was posted in accordance with NY Open Meetings Laws.

AGENDA ITEM NO. 1 Call to Order, Roll Call and Establish Quorum

The meeting was called to order by Chairman Blue at 11:05 AM ET. Chairman Blue established that a quorum was present.

MEMBERS PRESENT: Mo Sumbundu, Rhonda Frederick*, Franchelle Parker, Chairman Mark Blue, Penny Semaia, Todd Starowitz, Maria Whyte, Erich Weyant and Toni Cannady – 9

MEMBERS ABSENT: None – 0

*Member Frederick was present via videoconference, which per NY OML and the CBOC's video conferencing procedures (available here: <https://www3.erie.gov/eo/sites/www3.erie.gov/eo/files/2024-08/cboc-written-procedures-regardingvideoconferencing-due-to-exigent-circumstances.pdf>) shall not count toward a quorum of the CBOC (although Member Frederick was able to participate and vote, given that a quorum of members were present at a physical location open to the public)

Chairman Blue closed Agenda Item No. 1.

AGENDA ITEM NO. 2 Approval of Meeting Minutes from January 13, 2025, CBOC Meeting (Action Item)

Chairman Blue requested a motion to accept the meeting minutes from the committee's prior meeting on Monday, January 13, 2025.

Member Semaia noted the following minor corrections to be made to the January minutes:

- the reference to January 13, 2024, should be updated to January 13, 2025,
- the Annual Report due date should be updated to July 29, and
- the deadline for publishing the annual report, previously stated as 180 days after the fiscal year, should be revised to 120 days after the fiscal year.

Upon a motion by Member Sumbundu, seconded by Member Whyte, and without opposition, the CBOC approved the meeting minutes, inclusive of Member Semaia's stated revisions.

Chairman Blue closed Agenda Item No. 2.

AGENDA ITEM NO. 3 Old Business

Chairman Blue opened the floor for committee members to discuss old business.

Old Business Presented by Member Semaia. Member Semaia initiated the “Old Business” discussion by sharing a clarifying statement on behalf of the Buffalo Bills regarding the community investment. The statement read as follows:

In recent months, certain members of the CBOC have communicated to our organization their feeling that there has been public confusion over the CBA terms and conditions. This confusion has been principally in regard to (1) the nature of the Bills annual \$3 million CBA commitment and (2) the process by which these funds are to be allocated.

The CBA is very clear on the nature of the annual \$3 million commitment – it is not a grant fund, but rather an aggregate of all philanthropy, including the continuation of existing charitable programs, expended by the Bills on an annual basis. It is not a liquid fund or a grant, but a standard by which the Bills annual community investment is to be measured. Moreover, the CBA does not transfer authority over the expenditure of the Bills’ annual community investment to the CBOC nor to any other stakeholder or organization. The CBOC is charged with helping to identify community priorities and vulnerabilities to the Bills for consideration of future resource commitments and to review where the Bills’ community investment dollars were spent on an annual basis. To be clear, the Bills did not relinquish any authority to the CBOC or any other stakeholder or organization with respect to where or how its community investment dollars are allocated.

Though the CBOC has no authority over how the Bills’ community investment dollars are apportioned, we are excited to be working with the group and listening to their recommendations. The CBOC’s input has been invaluable as part of the process.

Response Comments by Committee Members to Member Semaia’s Statement:

- **Comments by Chairman Blue.** Chairman Blue reiterated that the sentiments expressed in the statement read by Member Semaia are outlined in the CBA. He clarified that while the CBOC is here to help and assist, it does not have the authority to delegate or allocate community investment funds. Chairman Blue further explained that the CBOC is set up as an advisory body to assess the community’s needs and gather input which will then be shared with the CBOC and the Bills.
- **Comments by Member Whyte.** Member Whyte asked that Member Semaia provide the statement in writing to the CBOC members. Additionally, Member Whyte expressed a desire for time to process both the impact of the statement and its effect on the community, and asked to reserve time at the next meeting to discuss the matter after having reviewed the written statement. Chairman Blue thanked Member Whyte for her comments.

Old Business Presented by Member Whyte. Member Whyte noted that she is pleased to report updates on elements of the CBOC’s process related to public hearing comments. She noted that the CBOC formed a small working group to establish the routine nature by which the CBOC would process comments from the public hearing. Member Whyte indicated the importance of the Bills sharing with members of the committee what their expectations were relative to their fiscal year. Since the CBOC established in the bylaws at last month’s meeting that the annual public hearing will occur in September, Member Whyte

explained that the CBOC will take the final quarter of the year (October-December) to process testimony from the public hearing, along with additional information, to establish community priorities and vulnerabilities for the forthcoming fiscal year. Member Whyte noted that the goal is to report these findings by January each year, so the CBOC can recommend community vulnerabilities and priorities ahead of the Bills' fiscal year, which runs from April 1 to March 31.

Given this process, Member Whyte emphasized the CBOC's need to address this year's community vulnerabilities and priorities, as the annual hearing did not take place until December 2024. Member Whyte noted that the hope is to report some preliminary findings on community vulnerabilities and priorities at next month's meeting, ahead of the Bills' fiscal year.

Response Comments by Committee Members to Member Whyte's Updates:

- **Comments by Member Sumbundu.** Member Sumbundu thanked Member Whyte and stated that the goal is for the CBOC to be responsive to the community, ensuring that their thoughts and feedback are heard and taken into consideration. He explained that the new timeline, which begins with the annual hearing in September and runs through December, gives the CBOC three months to review the information and understand community priorities and also to ensure the CBOC is considering those priorities while also creating a map of community needs and vulnerabilities, including geographical boundaries. Member Sumbundu emphasized that the CBOC will take this information and bring it back to the Bills, ideally at the beginning of the first quarter, as an opportunity to have an influence on where the Bills look at investments and community opportunities overall going into the next fiscal year.
- **Comments by Chairman Blue.** Chairman Blue commended the committee for their efforts in the important work being done to best support and assist the community. He noted that the CBOC serves as the eyes and ears of the community, providing valuable feedback.
- **Additional Comments by Member Whyte.** Member Whyte added that today marks approximately one year since the CBOC began operating. She emphasized the importance of establishing a routine that could potentially last for the next three decades. She indicated that while it's necessary to focus on the present, it's equally important to think about processes that will work in the future. Member Whyte expressed confidence that the CBOC has a clear understanding of how the Bills' fiscal year impacts its timing and work, and that it is essential to map out a process that is both sensible and responsive to the public.

Business Presented by Member Sumbundu. Member Sumbundu wished to recognize newly appointed CBOC member, Erich Weyant. Chairman Blue introduced Erich Weyant, who is joining the CBOC following a change in leadership at the Erie County Legislature. Member Weyant introduced himself, stating that he currently serves as Chief of Staff to the Erie County Legislature. He shared that he has held positions in both state and county government over the past 20 years and expressed his enthusiasm to work with the group to advance the contributions that the CBA can make for the community. Member Sumbundu stated that at the last meeting, he mentioned the CBOC should look at the schedule at least a couple of months in advance to provide the public with the opportunity to be aware of meeting dates and locations. Member Sumbundu called for a motion for County staff to work on scheduling the next six months of meeting locations, ensuring the public is informed of where the meetings will be held.

Response Comments by Committee Members to Member Sumbundu's Statements:

- **Comments by Chairman Blue.** Chairman Blue added that the meeting locations should have ample parking. He noted that there is a motion on the floor for the County to provide locations for the next six months of meetings.
- **Additional Comments by Member Sumbundu.** Before the motion was seconded, Member Sumbundu suggested that the meeting locations also have a tie to the information included in the annual report.
 - Member Semaia and Member Starowitz asked for clarification on the addition.
 - Member Sumbundu explained that the CBOC had previously discussed involving organizations like BestSelf in CBOC meetings as an opportunity to hear directly from organizations that have benefited based on information in the annual report. Member Whyte added the United Way as another example.
 - As an update to the original motion, Member Sumbundu noted that the CBOC should, at minimum, try to identify organizations that are benefiting or have benefited from the community investment and try to schedule meetings at those organizations' locations. Chairman Blue clarified that this would involve testimonies from organizations that have received benefits, explaining how community investments were used or how it has helped the organization. Member Semaia suggested that the motion be readdressed to the Bills and the County in view of the request regarding community investment beneficiary testimonials. Member Sumbundu expressed openness to the amendment.
 - Chairman Blue amended the motion to include meeting locations for the next six months, ensuring ample parking, as well as testimonials from organizations that have previously benefited from allocations outlined in the CBA. Member Starowitz suggested separating the items, noting that the six-month calendar scheduling is more straightforward, but the request regarding community investment beneficiaries should be further clarified. Member Sumbundu agreed to amend the motion to state that the Bills and County will work together to determine meeting locations for the next six months, ideally with locations that are tied to the CBA. The motion was seconded by Member Weyant and passed without opposition. In response to Chairman Blue, Member Sumbundu suggested that the second part of the original proposed motion on testimonials be tabled for further discussion.
- **Additional Comments by Chairman Blue.** Chairman Blue noted the need to consider potential dates for the next CBOC meeting and confirmed with the CBOC that March 17th at 11:00 AM is the best date and time for the next meeting. The County will provide information on the meeting location once it is available.

Chairman Blue closed Agenda Item No. 3.

AGENDA ITEM NO. 4 Community Benefits Updates

As part of the Community Benefits Update, Member Semaia, in his capacity as Community Benefits Director on behalf of Developer, provided a community benefits update. Member Semaia noted that certain of the updates were provided at the prior month's meeting and that there were no further updates for purposes of this meeting as many updates for the project occur quarterly.

BUSINESS PARTICIPATION AND WORKFORCE HOUR OBJECTIVE UPDATES

Member Semaia provided an interim update outlining Developer’s progress regarding the MWBE/SDVOB business participation and workforce hour objectives relating to the New Highmark Stadium. **Member Semaia reported as follows:**

- **Workforce Update:**

- As of December 31, 2024, Developer has exceeded its minority and apprentice workforce hours, reporting (i) 22.64% for minority work hours (which exceeds the 15% goal) and (ii) 15.76% for apprentice work hours (which exceeds the 10% goal). Developer also reported the following percentages with respect to non-minority women work hours: (i) 3.63% for non-minority women work hours (which falls just below the 5% target).

Category	Goal	Through 12/31/24
Minority Work Hours	15%	22.64%
Non-Minority Women Work Hours	5%	3.63%
Apprentice Work Hours	10%	15.76%

- **Business Participation Update:**

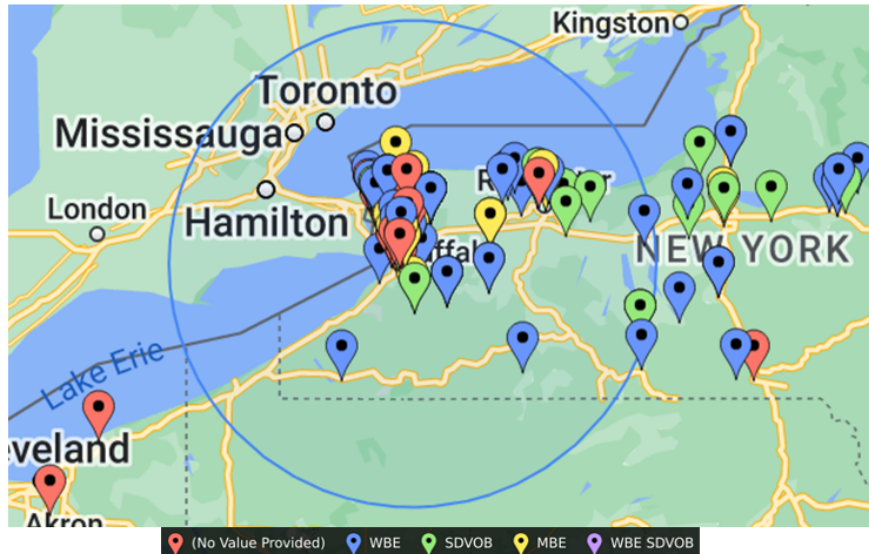
- As of Q3 2024, Developer has awarded a total of 322 MWBE/SDVOB contracts or OCSD-4 commitments. 192 of the awarded MWBE/SDVOB contracts or OCSD-4 commitments have been made to Regional MWBE/SDVOBs. 144 of the Regional MWBE/SDVOB contracts or OCSD-4 commitments have been made for a value less than or equal to \$1,000,000, representing results of the Developer’s efforts in defining, segmenting or sizing bid packages at levels to increase the likelihood MWBE firms are reasonably able to successfully undertake such projects and to ensure MWBE contractors and/or subcontractors retained for the Project shall come from the Western New York Region.

- MWBE/SDVOB Contracts or OCSD-4 Commitments: 322
- Regional MWBE/SDVOB Contracts or OCSD-4 Commitments: 192
- Regional MWBE/SDVOB Contracts or OCSD-4 Commitments <= \$1,00,000: 144

Regional MWBE/SDVOB Contracts or OCSD-4 Commitments	
< \$99,999	62
\$100,000 – \$249,999	31
\$250,000 – \$499,999	25
\$500,000 – \$1,000,000	26
Total <= \$1,000,000	144

*CBA Section 1.(n) defines Region as the geographic area within the State of New York comprising a 100-mile radius from Orchard Park, New York

*An update on contracts or commitments to regional MWBE and SDVOBs below \$50,000 and \$25,000 will be available in March 2025.



- Solely with respect to proposal releases #1-4, Developer has exceeded its business participation commitment goals with respect to MBEs at 16.8% (which exceeds the 15% goal) and WBEs at 16.1% (which exceeds the 15% goal). Developer also reported the following percentage with respect to SDVOB business participation goals: 5.8% SDVOB participation (which falls below the 6% goal).

Category	Goal		Through Proposal Release #1-4
Minority-owned Business Enterprise	\$231,000,000	15%	16.8%
Women-owned Business Enterprise	\$231,000,000	15%	16.1%
Service-Disabled Veteran-Owned Business	\$94,400,000	6%	5.8%
MWBE & SDVOB Total	\$554,400,000	36%	38.7%

- In response to previous requests by the committee, Member Semaia provided the following list of prime contractors:

- PJP Installers, Inc. (MBE)
- **Mark Cerrone, Inc.**
- **Ferguson Electric / E-J Electric JV**
- **Ferguson Electric / E-J Electric JV**
- **Pinto Construction Services, Inc.**
- **Union Concrete & Construction Corp.**
- Schindler Elevator Corporation
- Source Blue
- **SubAir Systems**
- Baker Concrete Construction, Inc.
- **Cives Steel Company**
- R. W. Sidley, Inc.
- Crown Corr
- High Concrete Group
- **Union Concrete & Construction Corp.**
- Roger & Sons Concrete, Inc. (MBE)
- Celtic Sheet Metal, Inc. (WBE)
- Celtic Sheet Metal, Inc. (WBE)
- F. W. Sims, LLC
- **Ferguson Electric / E-J Electric JV**
- **Ferguson Electric / E-J Electric JV**
- **John W. Danforth Company**
- **D.V. Brown & Associates**
- Rael Automatic Sprinkler Co., Inc.
- George M. Raymond Co.
- William H. Lane Inc.
- Irwin Seating Group
- Island International Enterprises, LLC
- Sightline Commercial Solutions LLC
- Crystal Steel Fabricators, Inc. (MBE)
- Crystal Steel Fabricators, Inc. (MBE)
- **Thomas Johnson, Inc.**
- SwimEx, Inc. (WBE)
- SCG Fields, LLC
- **Jameson Roofing**
- MTN Inc.
- **Hamburg Overhead Door, Inc. (WBE)**
- Builders Hardware
- Executive Group
- Allegheny Millwork Inc.
- **Tiede Zoeller (SDVOB)**
- FCS Group (MBE)
- **R.W Painting (WBE)**
- **Superior Steel Door and Trim Co., Inc. (WBE)**
- **GP Flooring Solutions (WBE)**
- **Heritage Contract Flooring, LLC**
- Rommel Fence, LLC (WBE)
- **Billitier Electric, Inc.**
- Design Communications, Ltd.
- **Scrufari Construction Co., LLC**
- **Union Concrete & Construction Corp.**

*BOLD = Regional

For List of Awarded Contractors and Package Descriptions, please visit www.buffalobillsnewstadium.com/contracting-opportunities

POST CONSTRUCTION OPERATION

Member Semaia highlighted the Maintenance and Operations as well as Concessions goals in the CBA.

“Developer shall use commercially reasonable efforts to implement initiatives for maximizing participation in the maintenance and operation of the New Stadium, including, without limitation, aiming to achieve the following goals:

- 30% and 6% of all retailers, vendors, and service companies used in stadium maintenance and operations to be MWBE and SDVOB firms, respectively
- 30% and 6% of all monies paid to retailers, vendors, and service companies used in stadium maintenance and operations be paid to MWBE and SDVOB firms, respectively
- 30% of the food products used by the concessionaire to be purchased from Erie County certified MWBE food service companies
- Preference given to food and beverage items for sale at New Stadium produced and/or manufactured in New York State
- Require the concessionaire to administer food and beverage service mentorship programs for MWBEs”

Member Semaia noted that regarding post construction operations, progress, planning, and research are ongoing, including internal meetings with Legends Hospitality to review CBA objectives. Additionally, Developments by JEM is hosting a second series of NYS and Erie County MWBE certification classes which include hands-on instructional assistance for businesses interested in becoming certified. Member Semaia noted he will provide future updates to the CBOC as they become available.

ADDITIONAL COMMUNITY BENEFITS UPDATES

To conclude his presentation, Member Semaia discussed the Bills and Developer’s various initiatives over the prior month, including:

- Support of several events and initiatives across Buffalo in honor of Black History Month
 - Buffalo Fashion Runway’s Black Carpet II
 - Zeneta & Zaire’s Book Club (Buffalo Council Woman Zeneta Everhart)
 - Support for Black-owned businesses: Ike & BG’s, Loud House Buffalo, Bratts Hill, Crenshaw Chicken & Waffles, Nikki’s Chocolates, Unapologetic Coffee, Zawaldi Books, The Cellar, Rejuvenex Spa, Alana Adetola Arts Photography
 - List of Buffalo Black-Owned Business published on buffalobills.com to support and promote over 200 businesses in Arts, Fitness/Wellness, Professional Services, Restaurants/Food, Salon/Spa/Barbershop, Shops/Retail and Other
- Internship opportunities with the Buffalo Bills are beginning to be made available for 2025-2026. In addition to postings available on buffalobills.com, targeted outreach of opportunities was made with the career centers of all colleges and universities in the Region as well as to community stakeholders and groups.
- Women in Construction event being hosted by the Gilbane|Turner and Buffalo Bills new stadium team in March to celebrate National Women in Construction Week. The event will feature a

speaking panel of women in successful construction-related careers followed by a networking opportunity. Invitations were extended to colleges and universities in the area with programming and curriculum in construction or construction related fields.

- Launch of the Public Art Program at New Highmark Stadium. The process was inclusive, with broad notification of the launch of RFPs. The focus of the program is on regional talent and is being led by the Bills' Frank Cravotta and a consultant with strong experience in stadium projects. The goal is to feature Buffalo-based artists. More information is available at <https://www.buffalobills.com/new-stadium/public-art-program>.

Member Semaia also highlighted methods of outreach for information pertaining to the CBOC, including physical and online postings to buffalobills.com and erie.gov, as well as distribution to the County papers of record (*Buffalo Challenger*, *The Criterion*, *Grand Island Dispatch*, *East Aurora Advertiser*, and *Lancaster Bee*). Member Semaia also noted that information is shared with news media outlets (WUFO, Buffalo News, WIVB, WKBW, WGRZ, and Spectrum News) and that Developments by JEM has begun placing flyers in community centers for additional exposure.

Lastly, Member Semaia noted that enhancements are being made to the Bills' website pertaining to the community investment. Member Semaia outlined the current process through which the Bills receive information from the public on community vulnerabilities and priorities, which includes:

- Public CBOC Meetings
- Annual Public Hearing
- Direct contact with Penny Semaia at penny.semaia@bills.nfl.net

Additionally, Member Semaia emphasized other ways the Bills' community investment is implemented, including:

- Bills Foundation (addressing food insecurity)
- Donation and Sponsorship Request link

Comments from CBOC Members:

- **Comments by Member Sumbundu.** Member Sumbundu expressed his pleasure with seeing the community aspect of the Bills' website being enhanced and a timeline for website updates. Member Sumbundu also mentioned the importance of revisiting the Developments by JEM initiative to ensure that expectations are clearly set for local firms. In response, Member Semaia clarified that while certifications are valuable for the stadium project and its maintenance and operations, the broader effort is aimed at growing the region as a whole.
- **Comments by Member Whyte.** Member Whyte expressed interest in learning more about the nature of the discussions with Legends, specifically regarding the obstacles they are facing and the methods they are using. Member Semaia clarified that these discussions remain ongoing. In response, Member Whyte suggested that Gilbane|Turner provide lessons learned to Legends Hospitality, particularly given the work the Bills have already done to ensure the thresholds for the construction phase. Member Semaia agreed and noted that those lessons have been shared by Gilbane|Turner.

Chairman Blue closed Agenda Item No. 4.

AGENDA ITEM NO. 5 New Business

Member Semaia took a moment to recognize former CBOC member, Sean Mulligan, and thanked him for his attendance at the CBOC meeting.

No further comments were made regarding new business.

Chairman Blue closed Agenda Item No. 5.

AGENDA ITEM NO. 6 Public Comment

Chairman Blue opened the meeting for public comment, which is limited to three (3) minutes per commenter. One member of the public, Connie Irvin, spoke during this portion of the meeting, noting that she provided comments at a number of earlier meetings, but has not yet received responses.

Chairman Blue closed Agenda Item No. 6.

AGENDA ITEM NO. 7 Adjournment

Prior to adjournment, Chairman Blue called for an executive session (which did not occur and the public was asked to reenter the meeting location).

Following the public's re-entry, Member Whyte noted that we are experiencing a series of historic firsts with CBA worth \$100+ million, including the CBA and first annual report and hearing being among the historic firsts. In response, Chairman Blue noted that he is proud to be a part of the committee and the great work happening (with more still to come). Chairman Blue thanked the committee for trusting him to serve as Chair and noted that he appreciates all of the work of the CBOC members.

Chairman Blue adjourned the meeting at 11:51 AM ET, upon a motion by Member Sumbundu.

The next CBOC meeting is scheduled for **March 17, 2025 at 11AM.**