



Meeting Agenda – Housing Committee
 Genesee County Economic Development Center
 Tuesday, August 1, 2023 – 9:30 a.m.
 Location: 99 MedTech Drive, Innovation Zone

Page #	Topic	Discussion Leader	Desired Outcome
	1. Call To Order – Enter Public Session	P. Battaglia	
	1a. Executive Session: Motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105 for the following reasons: 1. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. 1b. Enter Public Session	P. Battaglia	
2	2. Chairman’s Report & Activities 2a. Agenda Additions / Other Business 2b. Minutes: July 21, 2022	P. Battaglia	
3-6	3. Discussions / Official Recommendations to the Board: 3a. Potential Housing Project – Countryside Apartments in Pembroke 3b. Batavia Home Fund Policy	C. Suozzi M. Masse	Discussion Disc / Vote
	4. Adjournment	P. Battaglia	Vote

DRAFT



GCEDC Housing Committee Meeting
Thursday July 21, 2022
Location: 99 MedTech Drive, Innovation Zone
8:30 a.m.

MINUTES

ATTENDANCE

Committee Members: C. Yunker, M. Gray, P. Battaglia
Staff: M. Masse, L. Casey, J. Krencik, C. Suozzi, S. Hyde, P. Kennett
Guests: David Mazur (Housing Developer), Vick Singh Ghotra (Housing Developer)
Absent: P. Zelif

1. Call to Order / Enter Public Session

P. Battaglia called the meeting to order at 8:30 a.m. in the Innovation Zone.

1a. Executive Session:

C. Yunker made a motion to enter executive session at 8:30 a.m. under the Public Officers Law, Article 7, Open Meetings Law Section 105 for the following reasons, seconded by M. Gray and approved by all members present:

1. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

1b. Re-Enter Public Session – C. Yunker made a motion to enter back into public session at 8:56 a.m., seconded by M. Gray and approved by all members present.

M. Gray left the meeting at 8:56 a.m.

The Chairman stated that no votes were taken in executive session and that the meeting ended because there was no longer a quorum.

GCEDC

Housing Committee Meeting Report

Batavia HOME Fund Policy

Discussion: The Town and City of Batavia and the GCEDC had previously approved the Batavia Home Fund Agreement in November of 2022. The agreement is that the GCEDC can utilize Host Benefit Agreements on housing projects to put money into the fund. The GCEDC would be the custodian of the funds, and any project would complete an application to request the money and there would be a three person committee (GCEDC, Town and City) that would review the applications and make approvals/disapprovals. The allowable uses of the funds are as follows:

- i. Extraordinary development costs related to hazardous material abatement, remediation, flood hazard areas, etc.
- ii. Demolition / rehabilitation of vacant residential structures that cause community and neighborhood blight.
- iii. Provide incentives to the conversion of rental properties to single family homes
- iv. Infrastructure modernization and improvements including all costs related to planning, design and constructing roadways, multi-modal, water, sewer, gas, electric, telecommunication enhancements, storm water management facilities and related green infrastructure including landscaping and streetscape improvements related to redevelopment projects.
- v. Expansion of sewer capacity at Waste Water Treatment Plant for Studies, Engineering, Construction and Expansion.
- vi. Matching funds to secure other grant resources to further capitalize redevelopment projects in the BOA area.
- vii. Land assemblage, property acquisition and due diligence for Agency Projects consistent with Section 2 of this Agreement.
- viii. Marketing expenses for existing programs such as 421-F, 485-R and Core Housing Owner Incentive Exemption (CHOICE).
- ix. Grants to support CHOICE program

The City and Town of Batavia, along with the GCEDC, have drafted a policy that governs the application process, eligible applicants and eligible uses.

Fund Commitment: None.

Committee Action Request: Recommend to the full Board to approve the Batavia Home Fund Policy.

Batavia Home Fund – Application Policy

In October of 2022, the City of Batavia (City), Town of Batavia (Town) and Genesee County Economic Development Center (GCEDC) entered into an inter-municipal Agreement to facilitate the remediation, rehabilitation, redevelopment and construction of market rate housing and single family homes in the City of Batavia, for residential use. The goal is to promote and provide for new home construction and rehabilitation or conversion of residential rental to single family homes, improve real estate conditions, expand the tax base and improve neighborhood vitality.

The Batavia Home Fund (BHF) will be capitalized by Host Benefit Agreements on all GCEDC induced housing projects that utilize GCEDC benefits in the Town and City of Batavia, or other projects that may not utilize GCEDC benefits that the Town or City may require Host Benefits Agreements. The BHF funds will be used for infrastructure improvements, future economic and brownfield development interests targeted within the City for new housing projects and the conversion of residential rental to single family homes. The program is administered by the GCEDC with grant funding decisions made by a grant selection committee (Committee) with a representative from the GCEDC, Town and City.

Eligible Activities (Maximum Award Up to:)

1. Extraordinary development costs related to hazardous material abatement, remediation, flood hazard areas, etc., (\$50,000)
2. Demolition/rehabilitation of residential structures that cause community and neighborhood blight. (\$50,000)
3. Infrastructure modernization and improvements including costs to plan, design and constructing of streets, multi-modal, water, sewer, gas, electric, telecommunication enhancements, storm water management facilitates and related infrastructure including landscaping and streetscape improvements related to redevelopment projects and new housing construction. (\$50,000)
4. Matching funds to secure other grant resources to further capitalize on redevelopment projects in the Brownfield Opportunity Area (BOA) and flood zone areas. (\$20,000)
5. Land assemblage, property acquisition and due diligence for new market rate housing projects. (\$50,000)
6. Grants to support owner occupied single family exterior rehabilitation. (\$10,000)
7. Grants to support multi-family conversion into single-family owner occupied. (\$20,000)

Program Priorities

Priority of grants will be given to projects that are located in or near the Brownfield Opportunity Area, the 100-year flood plain and other areas defined by the City as being a priority for development/redevelopment.

Home Fund Grant Parameters

1. Projects should include a visual improvement to property to be eligible.
2. Projects can be rehabilitation or new builds
3. Grant awards are not to exceed 40% of the total project.
4. The funding is on a project-by-project basis. In-kind match is not eligible.
5. Costs incurred prior to the official grant approval date are not eligible for reimbursement and not eligible as a match.

6. Grant funds will be released once Certificate of Occupancy is issued or Permit Closeout is completed, and proper documentation of expenditures is received.

Applicant Eligibility

For profit and non-religious not-for-profit organizations and individuals are eligible to apply after meeting the following conditions:

1. Properties must be located in City of Batavia.
2. The applicant must be current on all municipal taxes including property, water and sewer and any other obligations to the municipalities.
3. The applicant will obtain a City of Batavia building permit prior to construction.
4. The applicant will have the ability to finance the entire project and submit for reimbursement to the BHF when the project is complete.
5. No costs can be claimed against the Batavia Home Fund, in advance of the official project grant approval date.
6. Proposals should provide proof of readiness such as proof of ownership, deed, or purchase agreement, and documentation that 100% of the financing for the project is in place. Please provide quotes from a licensed contractor.

Project Scoring

The Committee will determine the impact that the project will have on the City of Batavia and specifically address the following:

1. **City Priorities**- projects that advance the priorities of Batavia including the BOA Strategy, and are located in either opportunity zone (Ward 3 & 6), or in the flood zone are eligible for additional points in this category **(up to 20 points)**.
2. **Visual Impact**- projects that are visually prominent, have historic value, are in danger of being lost, in-part or totally to disrepair and damage **(up to 40 points)**.
3. **Neighborhood impact**- projects that are aesthetically pleasing to the surrounding neighborhood and are designed to eliminate blight. Preference will be given to a collaborative neighborhood improvement plan with multiple residences involved. **(up to 40 points)**.

Please Note: It is the committee's discretion to award an amount less than requested in the funding application.

Proof of available funding

Proof of available financing through cash in a bank, documented loan commitment and/or an available project line of credit is required.

Regulatory Requirements and Repayment Provisions

All assistance is in the form of a reimbursable grant with a five (5)-year compliance period. Property owners will be required to execute a Declaration document committing to this compliance period. Should the property owner sell the property within the five (5)-year timeframe, they could be responsible for repaying a portion of the grant funding received, subject to the committee's review and discretion. Repayments will be retained by the BHF and used for eligible economic development activities. Required repayment of grant funds will be calculated in accordance with the Batavia Home Fund, with the following schedule:

Months 0-12: 100% repayment due.

Months 13-24: 80% repayment due.
Months 25-36: 60% repayment due.
Months 37-48: 40% repayment due.
Months 49-60: 20% repayment due.
Months 60 and beyond: 0% repayment due

Grants may be taxable under the Federal Tax Cut & Jobs Act of 2018. Project owners should consult with a business tax professional.

Payment Process

Project reimbursements are made when the project is complete. The Batavia Home Fund Grant operates fully as a reimbursement grant program and the owner is responsible for paying for all agreed costs associated with the project. Payment of grant funds will be made only upon satisfactory completion of building projects and payment of renovation expenses.

1. No reimbursement shall be paid to the owner until final inspections and Certificate of Compliance/Occupancy or permit closeout has been issued by the City of Batavia.
2. All completed work shall comply with all applicable building codes and standards.
3. To substantiate work costs, Owners must provide the following:
 - a. written executed contracts
 - b. bank documents
 - c. copies of invoices for materials and labor
 - d. cancelled checks – Cash payments/cash receipts are not permitted and will not be reimbursed.
 - e. lien releases
 - f. other documents deemed reasonably necessary by the committee to show internal controls.
4. The payment of any amount(s) due and payable by the BHF to a project owner, as a reimbursement pursuant to a grant agreement for work completed shall be payable within sixty (60) calendar days after all work is satisfactorily completed and sufficient supporting documentation is provided to the BHF.

Policy Exception for City Use

1. The City may apply for 100% reimbursement up to \$100,000 for land assembly and demolition.
2. The City must provide a white paper detailing the project and the impact it will have on the neighborhood and City.
3. The City may apply for funds up to \$20,000 for expansion of City utility capacity for Studies, Engineering, Construction and Plant Expansion.
4. The City may apply for funds up to \$5,000 for marketing of existing home programs such as BHF, the 421-F and 421-R programs.

Project Application

Applications will be made available online on the City of Batavia and GCEDC websites and by hard copy at City Hall, located at One Batavia City Centre, Batavia, NY 14020.

Application Fee

The applicant will provide the GCEDC as administrator for the BHF with a \$250 non-refundable application fee.