

**Rochester Land Bank Corporation**  
**Meeting Minutes**  
**February 18, 2021**  
**Electronic Video Call**

Board Members Present: Dana Miller, Carol Wheeler, Kim Jones, Kurt Martin, Condenessa Brown, LaShay Harris

Board Members Absent: None

Non-Board Members Present: Paul Scuderi, Maritza Mejias, Patrick Beath, Rianne Mitchell, Cindy Castillo

The meeting was called to order at 3:02 pm by Dana Miller.

The minutes from the last meeting were distributed. All members agreed no corrections were needed. Condenessa Brown moved that the minutes be approved; Kurt Martin seconded. The motion was approved by the board.

Kim Jones presented the **Treasurer's Report and the Cash Disbursement Report**. Payments listed on the cash report included payments made to County of Monroe for County taxes and pure water charges for various properties; utility bill payments; foreclosure process service payments; property management payments for the Michigan Street property for snow removal services and security checks all totaling \$3,068.96 for all disbursements. Treasurer's Report classifies those disbursements accordingly. Reports were distributed to all members for review.

Dana Miller questioned how much longer will we have to wait until we can sell Michigan Street as we are having monthly expenses and want to confirm we are near the end. Paul Scuderi advised the law department is still working on the foreclosure process to take title back. The last court appearance was two weeks ago. We are in the final stages of taking title and waiting for the Order to be executed. Patrick Beath confirmed City litigation staff are working on this matter with the court and that he will follow up with them on the specifics.

The board's first item of business was **Resolution No. 1 of 2021: Authorization to Pay NYLBA Annual Dues**. Paul Scuderi explained this resolution is for the annual dues for membership in the New York Land Bank Association (NYLBA). Dues cover the costs NYLBA incurs including sending lobbyists to Albany and doing legal research on behalf of the Land Banks. There is an attorney on staff, John Sidd, who is able to provide legal opinions on Land Bank related items and who drafts land bank proposals and legislative items on behalf of the NYLBA. It is very helpful to have him available and have participate in this statewide association. There are monthly calls and periodic updates that we find very useful. We also have the ability to reach out to other Land Bank members to share as much information as necessary to help us. The dues for this year is \$1,000.00 which is a significant reduction to the past two (2) years which we have paid \$2,000.00 for each year and previous to that \$1,500.00. They have reduced the amount for this year mainly because an annual conference was not held in 2020 due to the COVID pandemic and they are not expecting an annual conference to be held for 2021. A lot of the monies were used for the annual conferences and no conference was held in 2020 and no in person conference is anticipated for 2021, there is a surplus which resulted in the reduction of the dues for this year while still providing the same support. Some of the monies will be diverted to lobbyist to continue to find a continues source of funds for Land Banks. NYLBA also acknowledged there are some Land Banks that are financially stressed as they operate far more independently and do not have the municipal support that we have. The reduction in dues is a huge benefit to their budget.

LaShay Harris questioned how the NYLBA comes up with the \$1,000.00 dues or the normal dues and if it is based on the population or number of residences within the particular Land Bank's jurisdiction. Paul Scuderi advised they initially had a pay schedule wherein larger Land banks like Syracuse and Albany who have larger volumes of properties would pay more than the smaller Land Banks. Currently, the amount is standardized with all member Land Banks paying the same dues. Rianne Mitchell advised the NYLBA made accommodations for the Land Banks that are experiencing hardship. LaShay Harris moved that the Board approve Resolution No. 1 for the 2021 calendar year, Kim Jones seconded the motion. The resolution was approved unanimously (with the exception of Kurt Martin as he had to step away for a moment for another matter).

The next item on the agenda was **Discussion of 2021 Report to City Council**. Dana Miller noted the drafted Annual Report to the City Council looked similar to previous reports prepared years past. Per the New York State Law that authorizes Land Banks, it is required that the Land Bank Board prepare and provide an annual report on or before March 15 of each year to the municipality. In our case that would be the City Council. The staff has already drafted and laid out the report keeping us on schedule to present the same to the municipality. It is also helpful to have City Council members here as there are always questions that we can get answers to prior to being in front of the full Council. Dana Miller then asked Condenessa Brown and LaShay Harris to point out anything particular that they would like us to mention to their Council colleagues as we review the report.

Dana Miller began the review of the report by pointing out we begin the report with an overview of some of our accomplishments and highlighting the activities the RLBC put in place to try to eliminate blight properties, acquire properties that can be converted, rehabbed and put back to productive use. Prior to the Land Bank, The City of Rochester had a numerous amount of vacant properties which affects property value and creates additional problems for surrounding properties and residents. RLBC Strategic Blight Removal by Demolition in conjunction with the City of Rochester's demolition program has significantly reduced the number of vacant properties. Strategic Blight Removal by Acquisition has also been important as RLBC acquires properties through the tax foreclosure sales which we then move onto a developer who would rehab. Unfortunately, due to the lack of the 2020 tax foreclosure, we were not able to acquire new properties in 2020. For the year 2021, Paul Scuderi is working with the law department in discussing a way to conduct a sale for this year in a smaller scale and for vacant properties. With the Home Ownership Assistance Program, the goal is to have people in the homes as occupants and owners. Through this program with Habitat for Humanity, three properties were acquired from the 2019 tax foreclosure sale and are being rehabilitated in accordance with the agreement with RLBC. Report then lists all of the resolutions approved by the board for the year. It is just a reminder that we are meeting monthly and we are accomplishing things during the meetings and running the Land Bank by normal non-profit operations. Paul Scuderi also pointed that in addition to the Home Ownership Assistance Program, RLBC is also involved and working on other Home Ownership programs. LaShay Harris asked if a list of such programs can be added to the report. Maritza Mejias directed that all programs are broken down in page five (5) of the report. Dana Miller advised he has made a note and will provide the council all organizations RLBC is currently involved with in helping achieve home ownership.

Dana Miller then briefly reviewed the bullets on the report listing all procedural activities by the RLBC including the annual meeting in September 2020. Dana Miller then reviewed the listed major grant funded projects and special projects the RLBC was involved with for 2020. Each includes the specific information and the corresponding amounts spent. The special project of 6 Madison Street will be noted as this was in the City's inventory for over 20 years and, because of this additional funding provided by RLBC paired with the City's RFP, we are close to solidifying a contract which will be going to City Council for approval in the near future. The other special program listed is the Homebuyer Asset Program Initiative (HAPI) which is a pilot program providing assistance for homebuyers seeking other avenues to achieving owner occupancy in the City of Rochester by providing financial assistance for legal costs and home inspections. Dana Miller then reviewed the last listed project wherein RLBC conducted a sealed bid auction in August 2020 of eight (8) properties. As Paul Scuderi discussed these properties were taken with the intention to be resold with requirements for rehabilitation monitored by RLBC. Dana Miller then advised a question may be raised as to what steps did RLBC do or could have done to provide these eight (8) properties for owner occupancy. Paul Scuderi advised that,

going forward, the RLBC will consider prioritizing going forward when offering properties, as the City successfully did in its recent sealed bid auction.

Dana Miller then reviewed the listed details of the Initiatives section of the report which includes information regarding the RFQ to partners; a list of those who have partnered with RLBC; RLBC participation in the Landlord Summit; description and details of the HAPI pilot program. Dana Miller advised the question of how much is the AMI in terms of dollars would be likely to come up and that he would like to have that information on hand (Carol had to jump off for a moment). Rianne Mitchell advised she had a chart setting out such information that she would provide. Dana Miller then reviewed the Outreach Strategies portion of the report where it references how RLBC has reached out to increase its social media presence, notify purchasers of upcoming auctions, used signage in front of each property owned by RLBC and its participation in monthly conference calls with the NYLBA. Dana Miller asked for more details of such monthly calls. Paul Scuderi advised any member of any land bank can join the call. Only certain members can vote on a particular item. Rianne Mitchell has been attending the meetings as well as Maritza Mejias and, when available, Paul Scuderi joins as well. Monthly meetings usually run one (1) hour or more. Rianne Mitchell advised in the past month's meeting (which was the annual NYLBA meeting) they had the new director of the National Land Bank Coalition who is spearheading the formation of a National Land Bank Association to help support the National Land Bank Network Act which was very interesting. The monthly meetings are every fourth Thursday of each month at 12:30 pm and any of the board members is welcome to attend as it is the RLBC as an entity that is a member, rather than any individual.

Dana Miller then reviewed the Financials portion of the report and confirmed Kim Jones will be attending the meeting with Council to answer any questions. Dana Miller then reviewed the Upcoming Activities portion of the report and asked Paul Scuderi if there was any particular part he wanted to have highlighted at the meeting. Paul Scuderi advised all points are good to note with the major points of RLBC is continuing its efforts to pursue private funding and other sources of revenue and also the HAPI pilot program which can make a great impact. Dana Miller then reviewed the Appendices portion of the report followed by the Lists of Acquisitions, List of Blight Removal Demolitions, Map of Land Bank Properties and the final portion of the report with the Photo Gallery of before and after photos. The photo gallery is the best way for people to see examples of exactly what has been done. Maritza Mejias was happy to report all five new builds have buyers. Dana Miller confirmed this was the end of the report and asked that if anyone had any thoughts to please advise. Dana Miller asked Condenessa Brown and LaShay Harris, having heard this review, if they think of any questions that any of their Council colleagues may have, to please email/text prior to the meeting. LaShay Harris mentioned that maybe an explanation of the demolition program should be discussed since she has noticed in the past there have been Council members who had concerns on how we demolished properties. Dana Miller responded he would and that he could see the confusion as properties are purchased through the auction and then demolished, but there are also properties that are privately owned being demolished. This will be clarified.

Paul went onto the next item on the agenda, **Acquisitions**, and advised we have some money from our last grant disbursement that is allocated for acquisitions. Without the tax foreclosure sale occurring last year, that balance has been unchanged. We are looking to do some acquisitions on the private market. Last month he discussed a group of privately owned properties being sold and had contacted the broker who advised they were under contract but if the contract fell through, they would contact us. Unfortunately, the sale is going forward and buyer was able to obtain financing for the entire portfolio. There are other opportunities, but we will proceed cautiously as there is word that there will be some type of tax foreclosure auction held this fall. A foreclosure auction would give an opportunity for RLBC to obtain properties at lower cost while still spending down the acquisition budget, allowing us to have some properties in our inventory to offer to our partners for program participation. We will have a contingency plan to acquire properties if the tax foreclosure auction is not held in November. Whereas in the foreclosure auction we obtain 10-20 properties, we will purchase less properties in a private market. As mentioned last month, we are working on trying to develop a way to conduct a tax foreclosure auction in a different format than we have had in the past. Discussions will be made between Paul Scuderi, Dana Miller and Gary Kirkmire to list and review what some of the hurdles will be and discuss how the auction can be done in alignment with City Code and Charter along with the NYS Constitution and NYS Tax Laws wherein we are not in violation of anything. The tax foreclosure sale is too important a

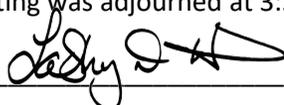
function for the City not to do it. We did not have an auction in 2020. There are budget considerations and neighborhood stabilization considerations that we need to consider. We have to find an alternative and safe way to move forward with the auction to accomplish City Budget goals, City real estate, neighborhood development stabilization as well as the RLBC.

The next item on the agenda was **RFQs for Professional Services**. Updates were given by Rianne: Looking forward in relation to potential tax foreclosure auction and also being on borrowed time with the grant funding, it is important that the properties the RLBC identifies and is able to acquire actually come into RLBC ownership by and we spend that money. As mentioned in the past, we plan to have an RFQ for title companies so we can have title services performed on those properties we identify. We are currently preparing an RFQ for Professional Services and taking advantage of the expertise of our Administrative Coordinator who has recently joined our team from Phillips Lytle LLP and who has significant expertise on what we will need to ask for in the RFQ. Once we have further details on how the tax foreclosure auction will take place, we will release the RFQ and have those services available in time for said tax foreclosure auction. There are two (2) other RFQs being prepared mostly related to the HAPI program because, as mentioned in the past, we have made the application to Enterprise to expand the program to include many other services. With that, the RLBC will only be responsible to provide appraisal services and surveys when it is called for and we will need to have contracts in place in provide such service. Currently the RLBC is taking advantage of the City's appraisal contract through the Shared Services agreement and we can certainly use that through the end of the fiscal year, if necessary. But with the anticipated additional volume through the HAPI program, we want to be prepared and have our own contracts in place should that funding be made available.

The next item on the agenda was **HAPI/Homebuyer Asset Protection Initiative**. Updates were given by Rianne: The initial launch email was sent to the list that the City of Rochester and the RLBC holds for interested individuals and organizations that have expressed interest in obtaining properties from both the City of Rochester and the RLBC, the board and some allies. This morning I was able to give a presentation about the program to the NSC administrators as they are, much like the City's Real Estate, the first line when there the type issue HAPI is designed to address. They have frequently encountered some of the issues we are attempting to prevent with the HAPI program. We can intervene to prevent some of the issues that threaten housing stability and safety with this program and NSCs would be a great resource. We are currently looking for other ways to promote the program. We were hesitant in doing too much promotion given there currently only funding to assist 12 homebuyers. As we continue to work with Enterprise regarding the additional funding opportunity, our fingers are crossed and we are very hopeful some monies for that extended program may be coming. So we want to be sure we have those RFQs in place.

The next item on the agenda was **6 Madison St**. Updates were given by Rianne: This is a partnership between the City of Rochester and the RLBC to get 6 Madison St rehabbed. The City offered the property via Request for Proposal in the Fall of 2020. The property is in a historic preservation district and has been in City ownership and vacant for over 20 years and vacant years prior. It is in a challenged state, has no onsite parking nor space to create onsite parking and is on a very small lot. The City has been able to identify a potential purchaser who submitted a proposal. The potential purchaser actually owns the commercial structure who's parking lot backs to the parcel making this a fortunate match. We are moving forward with that proposal and the purchaser is preparing what he needs to be ready for City Council approval, though not before the April Council cycle. The purchaser is currently preparing what he needs to ensure he obtains the certificate of appropriateness from the preservation board as well. For the RLBC part, we have \$60,000.00 broken down as \$50,000.00 in rehab and \$10,000.00 in environmental remediation and testing we can devote to it. We are preparing a draw system so that we can spend some of the monies down as we go to show we are making good on our grant obligations.

Dana Miller brought the discussion to a close and thanked everyone for attending. LaShay Harris made the motion to adjourn the meeting, Kim Jones seconded, all were in favor. The meeting was adjourned at 3:52 pm.

ATTEST:  \_\_\_\_\_  
LaShay Harris –Secretary